

## Staff Briefing Papers

**Meeting Date** September 4, 2025

**Agenda Item 3\*\***

**Company** Great River Energy (represented by Fredrikson and  
Byron, Attorney Haley Waller Pitts)

**Docket No.** PUC - ET2/TL-24-132  
OAH - 21-2500-40445 (ALJ Middendorf)

**In the Matter of the Application of Great River Energy for a Route Permit  
Application for the Laketown 115-kV Transmission Line in Carver County,  
Minnesota.**

**Issues**

- Should the Commission adopt the administrative law judge's findings of fact, conclusions of law, and recommendation?
- Should the Commission determine that the environmental assessment is adequate?
- Should the Commission grant a route permit for the proposed transmission line project?

**Staff** Sam Lobby sam.lobby@state.mn.us 651-201-2205

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

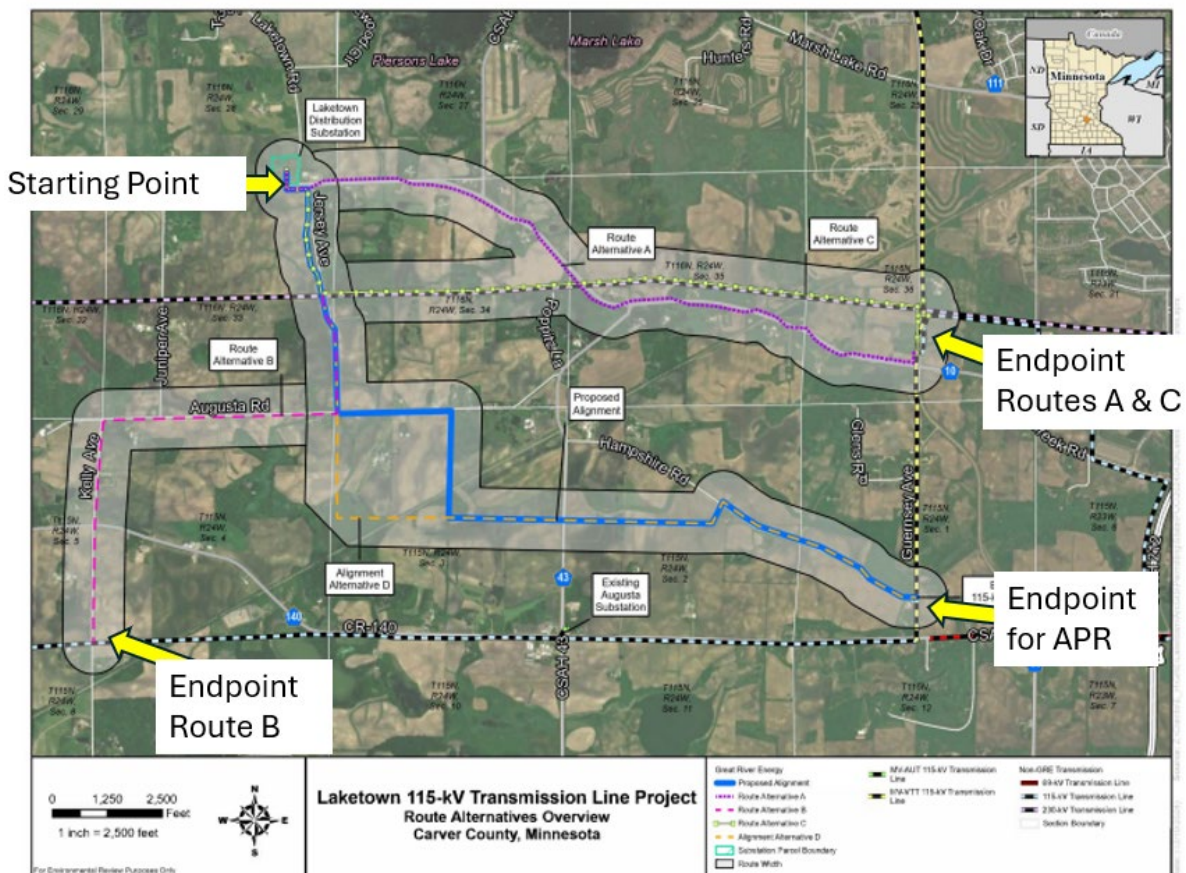
✓ Relevant Documents	Date
Initial Filing – Route permit Application (21 parts)	8/19/2024
PUC Order Finding Application Complete, Referring Matter to OAH	10/01/2024
DOC EERA* – Scoping Summary and Recommendation	12/12/2024
PUC – Order – Scoping Decision	02/24/2025
GRE – Direct Testimony (3 parts)	04/22/2025
DOC EERA* – Environmental Assessment	04/08/2025
PUC – Notice of Hearings and Availability of EA (issued 5/1 with comment period closing 6/2, but late comments filed up to 6/4)	05/01/2025
GRE – Laketown Comments on EA (2 parts)	05/13/2025
MN DNR – Comments on Recommended Permit Conditions (2 parts)	06/02/2025
Interagency Vegetation Management Working Group - Comments	06/02/2025
DOC EERA* – Public Hearing Comments	06/02/2025
GRE – Laketown Post Hearing Comments	06/09/2025
GRE – Proposed Findings of Fact, Conclusions of Law, and Recommendations (2 parts)	06/09/2025
OAH – Report – Findings of Fact, Conclusions of Law, and Recommendations	07/17/2025
GRE – Exceptions to ALJ Report	07/30/2025
PUC EIP (formerly DOC EERA)* – Exceptions to ALJ Report	07/31/2025

\* On July 1, 2025, Department of Commerce Energy Environmental Review and Analysis (DOC EERA) unit staff moved to the Minnesota Public Utilities Commission Energy Infrastructure Permitting (PUC EIP) unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7) and in response to permitting reform under Minnesota Statute 216I (2024). The review of this application began under and will continue under Minnesota Statute 216E (2023). DOC EERA staff initiated environmental review of this proposal prior to July 1, 2025, and will continue to exclusively perform environmental review duties for this application under 216E (2023) as EIP staff. Likewise, analyst staff at the PUC will continue to exclusively perform analyst duties on this application as PUC staff.

## PROJECT DESCRIPTION

On August 19, 2024, Great River Energy filed a Route Permit Application for their (GRE) 115-kilovolt (kV) high voltage transmission line (HVTL) project in Carver County, Minnesota. The project includes construction of approximately 4.3 miles of new 115-kV transmission line and a new substation (Laketown substation). The new proposed HVTL will begin at an existing GRE-owned 115-kV HVTL and terminate at a proposed substation located within Laketown Township, owned by Minnesota Valley Electric Cooperative (MVEC).

The project is being proposed by GRE to provide electrical energy to the proposed new substation, which will service customers in Carver, Sibley, Scott, Rice and LeSeuer counties. The 115-kV transmission line will be primarily constructed with direct-embedded steel poles, 70 to 95 feet above ground and placed 300 to 450 feet apart. Poles with concrete foundations will be required in some locations. GRE would obtain a 100-foot-wide right of way (ROW) for construction and operation of the transmission line. Where the project parallels road ROW, GRE plans to place structures approximately two to seven feet outside of the road ROW, to the extent that there are no other conditions necessitating other placement.



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<sup>1</sup> DOC EERA – Environmental Assessment Scoping Decision (02/25/2025) (Staff added arrows with reference points for ease of understanding): [20252-214984-01](https://www.dnr.state.mn.us/doc/20252-214984-01)

## STATUTES AND RULES

### Route Permit

Minn. Stat. § 216E.03, subd. 2, provides that no high-voltage transmission line shall be sited or constructed in Minnesota without the issuance of a route permit by the Commission. Under Minn. Stat. § 216E.01, subd. 4, a high-voltage transmission line is defined as a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts or more and greater than 1,500 feet in length. The project is a new 4.3-mile 115 kV single-circuit transmission line and, therefore, requires a route permit from the Commission.

The project qualified for alternative review under Minn. Stat. 216E.04 because it is a high-voltage transmission line between 100 and 200 kV. Under the alternative permitting process: (1) the applicant is not required to propose alternative routes in its application but must identify other routes it examined and discuss the reasons for rejecting those routes; (2) an environmental assessment is prepared instead of an environmental impact statement; (3) a public hearing is conducted, but a contested case hearing is not required.

The project is subject to Minn. Stat. 216E which requires that high-voltage transmission lines be routed in a manner consistent with the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security and reliability through efficient, cost-effective power supply and electric transmission infrastructure. The statute also affords the Commission the authority to specify the design, route, right-of-way preparation, facility construction, and any other appropriate conditions it deems necessary when issuing a permit for a high-voltage transmission line. The operative rules for the review of high-voltage transmission line route permit applications are found in Minnesota Rules Chapter 7850.2900 – 7850.3900.

### Certificate of Need

A certificate of need is required for any high-voltage transmission line with a capacity of 100 kilovolts or more with more than ten miles of its length in Minnesota. The proposed Laketown transmission line does not require a certificate of need because it is less than 10-miles in length.

### Environmental Assessment

Under Minn. Stat. § 216E.04 Alternative Review of Applications, the Commissioner of the Department of Commerce is required to prepare an environmental assessment on proposed high-voltage transmission line on behalf of the Commission. The environmental assessment must contain information on the potential human and environmental impacts of a proposed project and of alternative sites or routes considered and must address mitigation measures for

identified impacts.

## Notice

Minn. Stat. § 216E.04 governs alternative review, and with respect to notice, provides:

### I. Subd. 4. **Notice of application.**

Upon submission of an application under this section, the applicant shall provide the same notice as required by section [216E.03, subdivision 4](#).

Minn. Stat. § 216E.03, subd. 4 provides in relevant part:

### I. Subd. 4. **Application notice.**

Within 15 days after submission of an application to the commission, the applicant shall publish notice of the application in a legal newspaper of general circulation in each county in which the site or route is proposed and **send a copy of the application by certified mail to any regional development commission, county, incorporated municipality, and town in which any part of the site or route is proposed. . . .**

Minn. R. 7850.2100, subp. 2 provides:

#### **Notification to persons on general list, to local officials, and to property owners.**

Within 15 days after submission of an application, the applicant shall mail written notice of the submission to the following people:

B. each regional development commission, county, incorporated municipality, and township **in which any part of the site or route or any alternative is proposed to be located**; and

Minn. R. 7850.2100, subp. 6 provides:

**Failure to give notice.** The failure of the applicant to give the requisite notice does not invalidate any ongoing permit proceedings provided the applicant has made a bona fide attempt to comply, although the commission may extend the time for the public to participate if the failure has interfered with the public's right to be informed about the project.

## **PROCEDURAL HISTORY**

On August 19, 2024, Great River Energy filed a Route Permit Application for the Laketown 115 - kV transmission line project.

On October 1, 2024, the Commission issued its Order accepting the application as substantially complete, declined to appoint an advisory task force, and requested a full Administrative Law Judge (ALJ) Report with Findings of Fact, Conclusions of Law, and Recommendations.

On October 23, 2024, the in-person public information and Environmental Assessment (EA) scoping meeting was held. The virtual meeting was held on October 28, 2024.

On November 25, 2024, Department of Commerce Energy, Environmental Review and Analysis (DOC EERA), filed the oral and written public comments received during the EA scoping period, including the November 21, 2025, comment from the City of Carver that they were never noticed about the project.

On December 4, 2024, Great River Energy submitted their response to scoping comments. In their response they detailed how and why the City of Carver was not noticed and that they had initiated contact with them.

On December 12, 2024, DOC EERA submitted their scoping summary of comments and recommendations, recommending that the Applicant's Proposed Route (APR) be studied along with alternative routes B, C, and D, which were proposed by members of the public and EERA.

On February 4, 2025, the Commission issued a Consent Order adopting DOC EERA's December 12, 2024, comments and recommendations.

On April 8, 2025, DOC EERA issued the EA for the Laketown 115-kV transmission line project.

On May 21 and 22, 2025, in-person and virtual public hearings were held with ALJ Middendorf from the Court of Administrative Hearings.

Between May 7 and June 4, 2025, comments were received from members of the public. Those comments included: comments and recommendations from State agencies, comments from Local Government Units (LGU's) on their preferred routes, a comment from the City of Carver that they were never noticed, and comments from the public on route preferences and concerns.

On June 2, 2025, the Minnesota Department of Natural Resources (DNR) submitted comments regarding recommended permit conditions.

On June 9, 2025, GRE submitted their post-hearing comments in response to the public hearings. They also submitted their Proposed Findings of Fact, Conclusions of Law, and Recommendations.

On June 17, 2025, DOC EERA filed their response to GRE's Proposed Findings.

On June 17, 2025, ALJ Middendorf submitted her report, including Findings of Fact, Conclusions of Law, and Recommendations.

On July 30, 2025, the Applicant submitted their Exceptions to the ALJ Report.

On July 31, 2025, PUC EIP (formerly EERA) submitted with Exceptions to the ALJ Report.

### **PUBLIC COMMENTS**

There were a number of comments received during the open public comment period associated with the public hearings and the release of the Environmental Assessment (EA) from Local Government Units (LGU's), State agencies, and members of the public. Below is a summary of comments received.

#### **Local Government Units:**

- City of Carver: Commented originally on November 21, 2024<sup>2</sup> shortly after the close of the scoping comment period that they were notified by a landowner about the project but never received official notice. During the public hearing comment period in May of 2025, the Mayor, a City Council Member, and City staff attended the hearing and provided verbal<sup>3</sup> and written<sup>4</sup> comments that they were not notified about the project, did not have an opportunity to participate in planning, and that the APR would significantly impact the future development of commercial, industrial, and residential land uses that are identified in their 2018 Future Land Use Map. The Mayor and a City Council Member both commented that they informally thought Route Alternative A or C (RA-A or RA-C) would be better for the City of Carver, but the City would need more time and information to provide an official preference.

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<sup>2</sup> DOC EERA – Written Public Comments Received on the Scope of the EA (11/25/2025): [202411-212355-02](#)

<sup>3</sup> 5-21-25 Transcripts – Hearing in Chaska (password protected)

<sup>4</sup> City of Carver Written Comments: 05/21/25 [20255-219148-01](#); 05/22/2025 [20255-219194-02](#); 06/03/2025 [20256-219554-01](#)



- City of Victoria: Opposed to RA-A<sup>5</sup> because of the impact it would have on their future development areas. They recently broke ground on a Kwik Trip that the line would interfere with, so these future development plans are starting to happen now.
- Carver County: Supported the APR and is opposed to RA-A and RA-C<sup>6</sup> because the County has planned improvements to CSAH 10 in the coming years that would lead to a shift in the location of the transmission line.

### State Agencies:

- Minnesota Pollution Control Agency – Reviewed the EA and had no comments.
- Minnesota Department of Natural Resources – Conducted the Natural Heritage Review and provided recommended permit conditions.
- Minnesota Interagency Vegetation Management Plan Working Group – Provided recommendations on the applicants proposed Vegetation Management Plan (VMP).

### Members of the Public:

- Both written and verbal comments were received from the public that included:
  - comments about opposition to the APR and alternative routes A and C as well as alternative alignment D
  - a landowner who would have the APR going through their property provided pictures showing that part of his land is underwater during parts of the year and that it would be impossible to get vehicles in that area for maintenance when it is flooded<sup>7</sup>
  - concerns about a tree being removed near CR 43 that has deep personal meaning to the landowners and neighbors<sup>89</sup> and was mentioned by multiple commenters
  - comments that local units of government had more weight than landowners in determining the chosen route and that GRE was not listening to landowners
  - comments that the residents are not benefitting and that the APR is preferred for purely financial reasons.

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<sup>5</sup> City of Victoria Written Comments (05/22/2025): [20255-219194-01](#)

<sup>6</sup> Carver County Written Comments (05/16/2025) [20255-218997-01](#)

<sup>7</sup> Tim and Patty Eiden Comments and Photos (06/04/2025): [20256-219581-01](#)

<sup>8</sup> Tim and Patty Eiden Comments and Photos (06/04/2025): [20256-219581-01](#)

<sup>9</sup> DOC EERA – Written Public Meeting Comments on the Environmental Assessment Scoping – see Bruce Meulners comments (11/25/2024): [202411-212355-02](#)



### Summary of Public Comments Received for Routes Under Consideration

Party	APR (Applicant Proposed Route)	RA-A (Route Alternative A)	RA-B (Route Alternative B)	RA-C (Route Alternative C)	AA-D (Alignment Alternative D)
City of Victoria	Support	Oppose	No Comment	Oppose	No Comment
City of Carver	Oppose	Informally Support	No Comment	Informally Support	No Comment
Carver County	Support	Oppose	No Comment	Oppose	No Comment
General Public	Comments received opposing	Comments received opposing	Recommended by public, no comments received	Comments received opposing	Comments received opposing

### ALJ REPORT – FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS

The Commission requested that an ALJ preside over the public hearings and prepare a Report with Findings of Fact, Conclusions of Law, and Recommendations on the proposed Project and permit conditions, as necessary. On July 17, 2025, ALJ Middendorf issued her Report<sup>10</sup>.

The ALJ Report contained 317 findings and 12 conclusions of law and provided a thorough review of the record. The ALJ concluded that the Applicants did not satisfy all applicable legal requirements, because notice required by Minn. Stat. § 216E.03, .04 was not provided to the City of Carver, and that the Commission should therefore deny a permit for the APR. The ALJ did conclude that Route Alternative B (RA-B) may be permitted so long as the City of Carver works closely with the Applicant and other parties to establish a satisfactory route that minimizes impacts to affected landowners and mitigates the project's impact on planned future development areas. Staff has summarized the ALJ's recommendations and refers the Commission to the ALJ Report for the complete analysis.

### Noticing Requirements

The ALJ found that notice requirements under Minn. Stat. § 216E.03, subd. 4 and Minn. R. 7850.2100, subps. 2 and 4 were not fully met, as the Applicants, EERA, and the Commission failed to notify the City of Carver, despite notifying other local governments.

<sup>10</sup> ALJ Report (07/17/2025): [20257-221078-01](#)

### Adequacy of the Environmental Assessment

The ALJ stated in finding 316 that: “The Applicants proposed amending the EA to support their opinion that Route Alternatives A, B, and C and Alignment Alternative D are more impactful and less beneficial than the Applicants’ Proposed Route. Those amendments are not supported by the record.”

The ALJ concluded in finding 317 that: “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.”

### Cost of Constructing, Operating, and Maintaining the Facility

The ALJ discussed the differences in cost for each route under consideration, summarized in the table below:

<b>Applicant Proposed Route (APR)</b>	~ \$18 million
<b>Route Alternative A (RA-A)</b>	\$18,331,214
<b>Route Alternative B (RA-B)</b>	\$15,549,987 for facility, plus; To maintain reliability would require a new breaker station, necessitating a purchase of 20 acres of greenfield with an approximate cost of \$8-10 million
<b>Route Alternative C (RA-C)</b>	\$16,708,249
<b>Alignment Alternative D (AA-D)</b>	\$17, 696,444

### Summary of Routing Factors Addressed in ALJ Report

The ALJ concluded that RA-B would be the least problematic for the affected communities (Carver County, the City of Victoria, the City of Carver, and Laketown and Dahlgren Townships) and partially mitigates the Applicants’ failure to provide notice to the City of Carver. A summary of the routing factors considered by the ALJ is provided in the table below:

<b>Applicant Proposed Route (APR)</b>	<ul style="list-style-type: none"> <li>• Longer and less collocated than the other route alternatives</li> <li>• Interferes with City of Carver’s planned future development area</li> <li>• Impacts the least amount of wetlands</li> <li>• Spans the most farmland of any route</li> </ul>
<b>Route Alternative A (RA-A)</b>	<ul style="list-style-type: none"> <li>• Interferes with Carver County’s published plans to realign and widen CSAH 10 in 5 to 10 years</li> </ul>

	<ul style="list-style-type: none"> <li>• Crosses more acres of emergent wetlands and forested wetlands than APR or Route Alternative B</li> </ul>
<b>Route Alternative B (RA-B)</b>	<ul style="list-style-type: none"> <li>• Results in an uneven distribution of loading on the electrical system and would result in the proposed Laketown substation to be co-dependent on a single 115-kV circuit, which could cause reliability issues</li> <li>• Comparable reliability to other routes is feasible but would include upgrades costing approximately ~\$5 million more than the APR</li> </ul>
<b>Route Alternative C (RA-C)</b>	<ul style="list-style-type: none"> <li>• Interferes severely with City of Victoria's planned future commercial hub for the City</li> <li>• Crosses more acres of emergent wetlands and forested wetlands than APR or RA-B</li> </ul>
<b>Alternative Alignment D (AA-D)</b>	<ul style="list-style-type: none"> <li>• Less collocated than APR and Route Alternatives</li> <li>• Greater potential for impacts to surface waters</li> <li>• Crosses most acres of emergent wetlands</li> <li>• Does not utilize existing infrastructure</li> <li>• Results in both temporary and permanent impacts to wetlands</li> </ul>

### Route Permit Conditions

The ALJ recommended several route permit conditions to be included in the permit, regardless of which route alternative is permitted, including permit condition 6.1 for a Phase 1 Archeological survey.

#### Phase 1 Archaeological Survey:

The Permittee shall conduct a Phase 1 archeological survey of the permitted route. The Permittee shall share the results of the survey with the State Historic Preservation Office (SHPO). The Permittee shall implement any recommendations received from SHPO resulting from the survey. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

The ALJ also recommended the inclusion of the permit conditions suggested by the Minnesota Department of Natural Resources, including:

- Calcareous Fen, Vegetation Removal (Winter Tree Clearing), Avian Flight Diverters, Facility Lighting, Dust Control, Wildlife-Friendly Erosion Control.

See Attachment 1 at the end of this briefing paper for suggested language associated with each of these ALJ recommended permit conditions. Staff notes that the DNR recommended the condition "Vegetation Removal (Winter Tree Clearing)" but did not provide language – staff was

unable to find this condition in other dockets but was able to find similar provisions which aided in suggesting potentially appropriate language. Staff recommends the Commission consult with the DNR on whether staff's developed language addresses their concern.

## EXCEPTIONS TO THE ALJ REPORT

### PUC EIP (formerly DOC EERA) Exceptions

The Public Utilities Commission Energy Infrastructure Permitting Unit, formerly the Department of Commerce Energy Environmental Review and Analysis Unit, indicated that the report accurately reflects the record for the project and therefore did not have any exceptions<sup>11</sup>.

### Great River Energy Exceptions

The Applicant submitted extensive Exceptions<sup>12</sup> to the ALJ Report disputing key Findings of Fact, Conclusions of Law, and Recommendations. The Applicant organized their exceptions into five sections which are summarized below. Staff refers the Commission to the Applicant's Exceptions for the full discussion, as well as the summary tables attached to the end of these briefing papers detailing the Applicants specific exceptions to the ALJ Report.

Specifically, the Applicant asserted that the ALJ Report improperly applied the law regarding notice obligations for the Commission and for the Applicant regarding the failure to notice the City of Carver. GRE further stated that the City of Carver was provided ample opportunity to participate in the permitting process. The Applicant then proposed Exceptions that they asserted will clarify and correct the factual findings in the report.

#### 1) The Applicant and Commission complied with all notice requirements:

The Applicant asserted that the ALJ's conclusion that the Applicant and the Commission did not comply with statutory notice requirements does not constitute a denial of the permit. Firstly, the Applicant says the Project is following the alternative permitting process under Minn. Stat. § 216E.04 which does not require a 90-day notice under the alternative permitting process. Next, they noted that because the project is not within the City of Carver, nor were any of the routes identified planned to go through the City of Carver, that Minnesota Law did not require that the City of Carver be noticed. The applicant asserted that Minnesota Law states that notice is required to local governments "in which a site or route is proposed," and that since no route alternative was proposed to be within the City of Carver the ALJ improperly applied the law to

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<sup>11</sup> PUC EPI Exceptions (07/31/2025): [20257-221612-01](#)

<sup>12</sup> GRE Exceptions to ALJ (07/30/2025): [20257-221553-01](#)

the Project regarding to noticing requirements.

**2) The active engagement in this docket reflects the Commission's process working well:**

The Applicant asserted that while the City of Carver was not noticed early in the process, the City of Victoria and Carver County were both engaged early and significantly influenced the route alternatives studied in the EA. While the City of Carver, City of Victoria, and Carver County are at odds with which route should be selected, the Applicant argued that this level of participation is a feature of the permitting process and that the record has been sufficiently developed for the Commission to make a final decision regarding which route should be permitted. The Applicant argued that they had identified Dahlgren Township as potentially impacted during the pre-application process and worked with the Township on route development, but that the annexation agreement with the City of Carver was not identified in those meetings. Upon learning of the agreement, the Applicant immediately engaged the City of Carver. The Applicant further explained that they have a robust public outreach protocol for transmission line development and they followed that process, including holding open houses, evaluating alternative routes, and meetings with local government representatives where a proposed route crossed, including the City of Victoria, Carver County, Dahlgren Township, and Laketown Township.

The Applicant argued that while the City of Carver was not initially identified as impacted by the Project, the Commission's review process helped to identify the City of Carver as an important stakeholder, and that the Applicant actively engaged with them once learning of their interest in the Project, as is evidenced by the significant number of comments submitted into the record from the City of Carver. Lastly, the Applicant asserted that they undertook extensive outreach efforts in accordance with the Commission's permitting process and would have still selected its Proposed Route even after considering the other possible routes for selection.

**3) The Project is consistent with orderly development:**

The Applicant argued that the project, a 115-kV transmission line, will serve the local load and will support ongoing development in Carver County. The Applicant referred to the City of Carver's 2018 Future Land Use Map and argued that because the land use is designated as low density residential/commercial/industrial, the proposed Project would help support future development. GRE argued that the ALJ Report improperly framed the Project as an impediment to future development, and that other similar projects in the area, such as the 230-kV line that follows RA-C in the City of Victoria, proves that an even larger line does not impede development.

The Applicant stated that should the APR be permitted; they will work closely with the City of

Carver to make sure their project does not cause any impediments with future development in the event the City of Carver proceeds with the Annexation agreement with Dahlgren Township.

**4) Each route alternative has trade-offs:**

The Applicant noted that there are tradeoffs between each of the routes evaluated in the EA and used the table below to discuss what they argue are the differences between each route under consideration.

	Route Alternative A	Route Alternative B	Route Alternative C	Proposed Route
<b>Length</b>	3.2	3.1	3.5	4.3 miles <sup>47</sup>
<b>Collocation (utilities and roads)</b>	97% <sup>48</sup>	94% <sup>49</sup>	97% <sup>50</sup>	55% <sup>51</sup>
<b>Displacement</b>	Yes, if constructed along potential future highway alignment.	No	Yes, of existing business under construction. Impact on residential parcels in proposed subdivision development.	No
<b>Local government unit opposing</b>	Carver County	None	City of Victoria	City of Carver
<b>Reliability</b>	-	Less reliability due to uneven loading and exposure.	-	-
<b>Local government units crossed</b>	City of Victoria; Laketown Township; Carver County	Laketown Township; Dahlgren Township; Carver County	City of Victoria; Laketown Township; Carver County	Laketown Township; Dahlgren Township; Carver County
<b>Current land uses</b>	Agricultural	Agricultural	Agricultural; commercial	Agricultural
<b>Potential future land uses identified in record</b>	Agricultural; commercial	None	Commercial; residential; agricultural	Agricultural; commercial; residential

**5) The record does not support requiring *only* winter tree clearing for the project:**

The Applicant took issue with the ALJ's assertion that requiring only winter tree clearing does not cause harm to the Applicant. GRE stated that the requirement is more broad than similar

projects and that the species under consideration for this condition are not present in the area and therefore this condition is unnecessary.

### STAFF ANALYSIS

The Commission will need to decide upon the question of notice to the City of Carver before it determines whether to adopt the ALJ Report or GRE's exceptions to that report. Staff refers the Commission to the following discussion for consideration.

Based on the information in the application, the analysis provided in the Environmental Assessment, the ALJ Report, and other evidence in the record, staff recommends the Commission find that the Environmental Assessment and the record created at the public hearing address the issues identified in the scoping decision.

#### Background: Which Routes Should Be Considered?

The ALJ Report recommended denial of a permit for the APR due to a failure to properly notify the City of Carver; however, the report leaves open the possibility of the Commission selecting RA-B. The Applicant disputed the Findings, Conclusions, and Recommendations in the ALJ Report and asserted that the APR is still the best route but indicated that RA-B would be acceptable if that was the route selected by the Commission.

The record clearly demonstrates opposition for RA-A and RA-C from the City of Victoria, Carver County, and various members of the public. The ALJ Report shows that RA-D is a more impactful alternative and therefore should not be considered. RA-B did not receive any opposition or support from local governmental units or the public, but the route was recommended by members of the public living in the area<sup>13</sup>.

While RA-B was studied as a viable route in the EA, the ALJ stated that the 20-acre greenfield required to build a breaker station was not included for study in the EA<sup>14</sup>. Questions also remain about the extent to which the reliability of RA-B has been fully reviewed<sup>15</sup>. With these considerations in mind, the most reasonable routes for consideration before the Commission are the APR and RA-B.

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<sup>13</sup> DOC EERA – Written Public Meeting Comments on the Environmental Assessment Scoping – see Anthony Schuster and Trudy Vogel written comments (11/25/2024): [202411-212355-02](#)

<sup>14</sup> ALJ Report – Finding 149 (07/17/2025): [20257-221078-01](#)

<sup>15</sup> ALJ Report – Finding 149 (07/17/2025): [20257-221078-01](#)



## Issues at Hand

For the Commission to decide on this matter, two main issues require resolution. The first issue is whether the Commission agrees with the ALJ's conclusion that noticing requirements were not met or if the Commission agrees with the Applicant that the City of Carver was not required to be noticed and that all required noticing was satisfactorily achieved. If the Commission agrees with the Applicant, the APR could still be considered for a permit. If the Commission agrees with the ALJ it raises a second issue: is there sufficient record development to grant the Applicant a permit for RA-B, or should the Commission order additional process and record development for RA-B before a Route Permit can be issued?

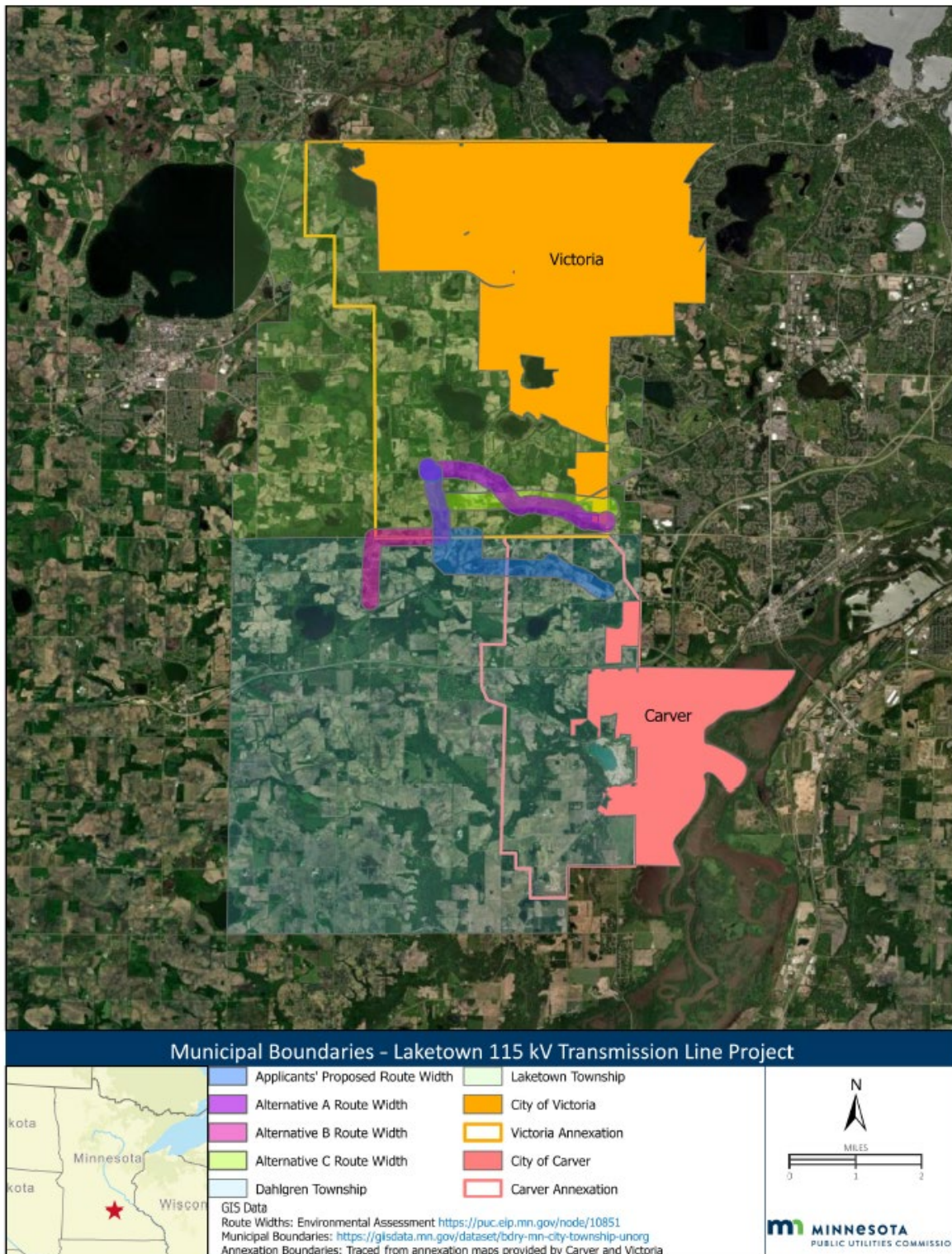
The ALJ Report discusses the rationale for recommending RA-B for a permit in the Summary of Factors Analysis beginning on page 57 of the Report. The ALJ states that RA-B is a viable route with some trade-offs over the APR but that it at least partially mitigates the issues raised by the City of Carver due to their lack of being noticed about the project, though she notes there are lingering questions about the location of the 20-acre greenfield for the breaker station, as well as questions about the reliability of RA-B<sup>16</sup>.

Though the ALJ makes a case for RA-B, the applicant asserted in their Exceptions that while the City of Carver is concerned about the negative impacts of the Project, their 115-kV line would actually support the types of future development the City of Carver details in their 2018 Future Land Use Map, and that GRE would be willing to work closely with the City of Carver to determine an acceptable path. Staff offers the following maps that estimate the ROW impacts of each route under consideration:

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<sup>16</sup> ALJ Report – Finding 149 (07/17/2025): [20257-221078-01](#)

## Impacts of APR, RA-A, RA-B, RA-C, and AA-D

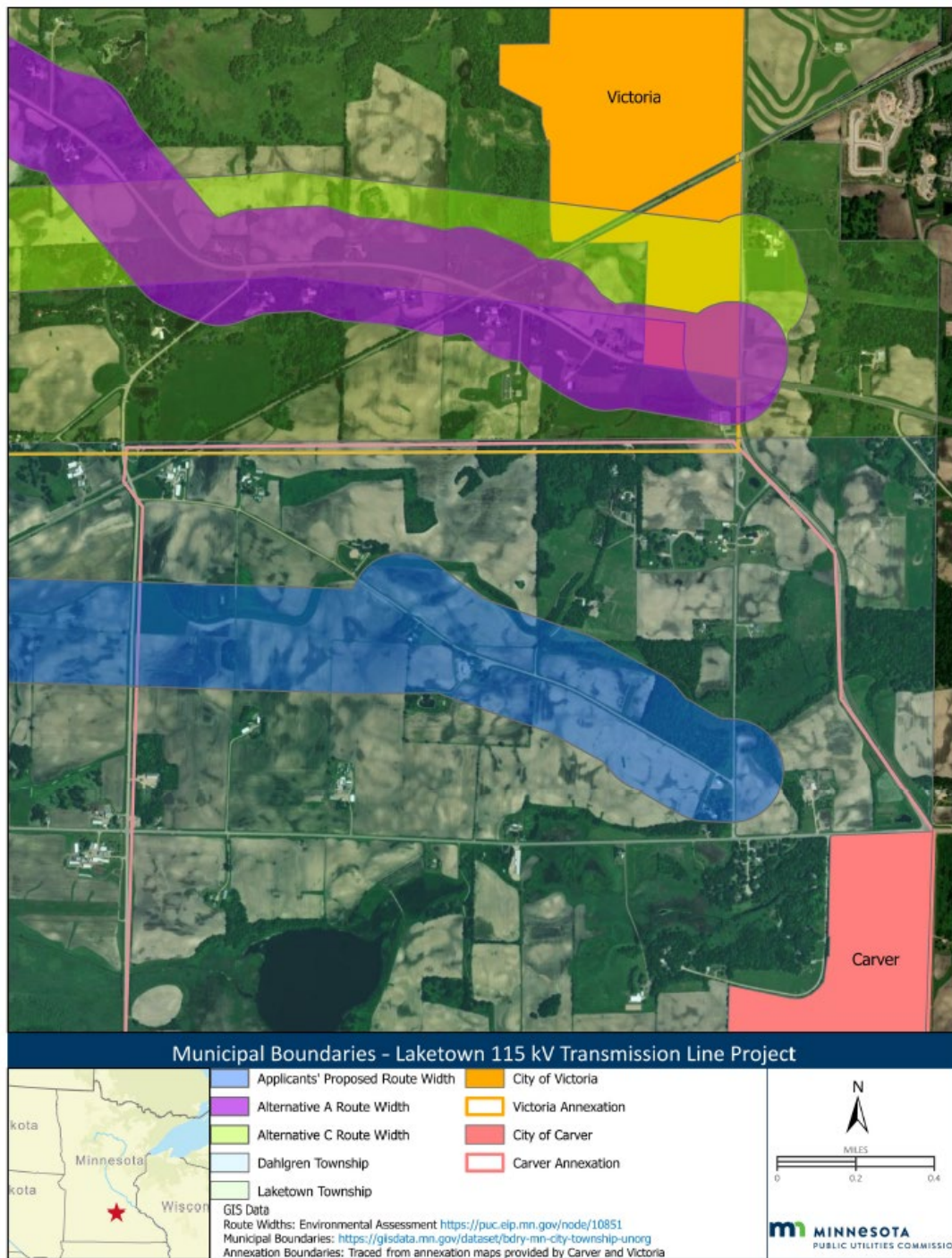


17

<sup>17</sup> PUC-EIP – Laketown Map of Municipal Boundaries (08/14/2025): [20258-222054-01](https://puc.elp.mn.gov/node/10851)



### Impacts of APR, RA-A, and RA-C on City of Victoria and City of Carver



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Considering the noticing issues raised in the ALJ Report, it is helpful to refer to the chronology of events related to the noticing of the City of Carver and their participation in the docket to date. Staff refers to the table below for the chronology of events regarding the City of Carver's participation in the docket and notable contact between the Applicant and the City of Carver:

<sup>18</sup> PUC-EIP – Laketown Map of Municipal Boundaries (08/14/2025): [20258-222054-01](https://puc.eip.mn.gov/node/10851)

Date of Occurrence	Comments Received
July 8, 2024	Applicants met with Dahlgren Township <sup>19</sup> to discuss possible routing options. At this time no one identified that Dahlgren Township had an Orderly Annexation Agreement (OAA) with the City of Carver or that the City of Carver may have an interest in the Project area.
October 23 & 28, 2024	Public Info/Scoping meetings held on the Project on such and such date. A resident who attended the info/scoping meetings notified the City of Carver about the Project on October 29, 2024.
November 1, 2024	According to GRE's June 9, 2025, filing <sup>20</sup> , the Applicant met with the City of Carver on November 1, 2024, as soon as it was identified that the City of Carver was inadvertently missed in noticing. Any direct coordination between the Applicant and the City of Carver is not in the record and the extent to which they coordinated is unknown beyond what the Applicant states in their filings.
November 7, 2024	According to GRE's December 4, 2024 <sup>21</sup> response to scoping comments, on November 7, 2024, the City of Carver provided GRE with a 2018 map titled "Future Land Use" which showed where the APR would impact the City of Carver's OAA. Any direct coordination between the Applicant and the City of Carver is not in the record and the extent to which they coordinated is unknown beyond what the Applicant states in their filings.
November 12, 2024	Close of public comments for Info/Scoping.
November 21, 2024	The City of Carver made their first official comment <sup>22</sup> in the record when they filed a letter with the Commission that they had not received notice and only heard about the meeting from a local resident. They were adamant that the APR would interfere with planned future development. They indicated that the lack of coordination left them unable to comment on any route preference. Though this comment came outside of the formal comment period, EERA still considered this comment as part of the comments received during scoping.
May 21-22, 2025	On May 1, 2025 the Commission mailed the Notice to landowners and LGU's. The City of Carver was still not notified by the Commission for these meetings. Public Hearings were held on the Project May 21-22, 2025.

<sup>19</sup> GRE Laketown Post Hearing Comments (06/09/2025): [20256-219727-01](#)

<sup>20</sup> GRE Laketown Post Hearing Comments (06/09/2025): [20256-219727-01](#)

<sup>21</sup> GRE Laketown Response to Scoping Comments (12/04/2024): [202412-212706-01](#)

<sup>22</sup> DOC EERA – Written Public Comments Received on the Scope of the EA (11/25/2025): [202411-212355-02](#)

May 20 – 22, 2025 and June 2, 2025	Multiple representatives from the City of Carver commented <sup>23</sup> in the record on these dates, including the Mayor, a City Councilor, and City Staff. Each comment echoed the original November 21, 2024, comments – they had not received notice, were unable to participate in route development, and were opposed to the APR because it interferes with potential future development areas identified in planning documents and through their OAA with Dahlgren Township. The City of Carver did not state any formal preference of a route or potential actions that could be taken to mitigate their concerns. Informally the Mayor and a City Councilor stated their personal preference for RA-A and RA-C, but said they were only speaking for themselves.
July, 2025	The Applicant stated in their June 9, 2025 <sup>24</sup> filing that the City of Carver invited the Applicant to attend their July 2025 City Council meeting. No further information is in the record to determine what, if any progress was made regarding route preferences.

### Final Considerations

The record information on the APR is more substantial than the information on the other route alternatives/alternative alignment being considered for permitting and has had the most input from LGU's, State Agencies, and the public. RA-B has similar trade-offs to the APR and was determined to be a viable route in the EA and ALJ Report, but there was comparatively much less record development than the APR. Additionally, RA-B would require the construction of a breaker station at some point in the future to ensure reliability which would increase the cost of the project.

If the City of Carver is amenable to working with the Applicant on the specific route the transmission line would take once it enters their Orderly Annexation Agreement area in Dahlgren Township, the APR would make the most sense to permit. However, if the City of Carver maintains the proposed line would permanently and irretrievably damage their future development potential in that area, the Commission should consider RA-B.

If RA-B is considered for permitting, the Commission should consider whether or not RA-B is presently developed enough in the record to receive a permit at this time. The Applicant states in their exceptions that "If Route Alternative B is selected, Great River Energy would evaluate whether a breaker station would be added between Augusta and Victoria, which would require

<sup>23</sup> City of Carver Written Comments: 05/21/25 [20255-219148-01](#); 05/22/2025 [20255-219194-02](#); 06/03/2025 [20256-219554-01](#)

<sup>24</sup> GRE Laketown Post Hearing Comments (06/09/2025): [20256-219727-01](#)

a 20-acre greenfield breaker station in the future.”<sup>25</sup> Since it is unknown if/when the breaker station is required to achieve sufficient reliability would be constructed, and since the location of that station was not included in the EA, the Commission must decide if enough record development exists to permit RA-B.

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<sup>25</sup> GRE Exceptions to ALJ, Proposed Finding 270 (07/30/2025): [20257-221553-01](#)





## DECISION OPTIONS

### ALJ's Findings of Fact, Conclusions of Law, and Recommendations

1. Adopt the ALJ Report to the extent it is consistent with the Commission's decision.  
(ALJ)

*Or*

2. Adopt the ALJ Report as modified by the Applicant Exceptions. (Applicant)

*Or*

3. Adopt the ALJ Report with the following modifications: [Identify any modifications]

See attached tables A and B:

Applicant Exceptions – Suggested Corrections to Findings Related to Noticing Requirements: Summary Recommendation, 73, 103, 107, 111, 158, 313, 314, Conclusion 5, conclusion 7

Applicant Exceptions – Suggested Corrections and Clarifications to Factual Findings: 67, 69, 79, 83, 85, 100, 108, 112, 115, 116, 123, 125, 126, 129, 130, 152, 153, 154, 155, 156, 157, 147\*, 159, 160, 161, 177, 199, 277, 288, 298, 299, 300, 301, 303, 310, 311, 316, Conclusion 9, Conclusion 11, Recommendation

### Environmental Assessment

4. Find that the Environmental Assessment and the record created at the public hearing address the issues identified in the Scoping Decision. (Applicant, Staff)

*Or*

5. Find that the Environmental Assessment and the record do not adequately address all issues identified in the Scoping Decision with respect to Route Alternative B. Require the Applicant to file additional reliability information related to RA-B into the record within 15 days and request that PUC EIP file a supplement expanding on the Environmental Assessment discussion of Route Alternative B within 30 days of the order.

### Route Permit

6. Issue a Route Permit to Great River Energy authorizing Route Alternative B as recommended by the ALJ for the Laketown 115-kV Transmission Line Project with the conditions recommended by the ALJ. (ALJ)

*Or*

7. Issue a Route Permit to Great River Energy authorizing Route Alternative B as recommended by the ALJ for the Laketown 115-kV Transmission Line Project with the conditions recommended by the ALJ, but excluding the disputed condition related to Winter Tree Clearing. (Applicant alternative if DO 8 is not selected)

*Or*

8. Issue a Route Permit to Great River Energy authorizing the Applicant Proposed Route as requested by the Applicant for the Laketown 115-kV Transmission Line Project with the conditions recommended in the Applicant Exceptions. (Applicant preferred)

*Or*

9. Deny a route permit for the Laketown 115-kV Transmission Line Project.

#### **Administrative**

10. Delegate authority to the Executive Secretary to modify the Findings of Fact and Conclusions of Law and Route Permit to correct any typographic and formatting errors and ensure consistency with the Commission's order. (Staff)

**Staff Recommendation:** 4, 11; The Commission may want to clarify the current position of the City of Carver with respect to the permitting of the APR and RA-B. The Commission may also want to discuss the issue of further record development in regard to the reliability implications of RA-B with the applicant.

**Attachment 1: ALJ Recommended Permit Conditions**

<b>Name of Condition</b>	<b>Sponsor</b>	<b>Section</b>	<b>Recommended Language</b>
Avian Protection	Mn DNR	5.3.16	The Permittee in cooperation with the DNR shall identify areas of the transmission line where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. The Permittee shall submit documentation of its avian protection coordination with the plan and profile pursuant to Section 9.2.
Phase 1 Archeological Survey	PUC EIP	6.1	The Permittee shall conduct a Phase 1 archeological survey of the permitted route. The Permittee shall share the results of the survey with the State Historic Preservation Office (SHPO). The Permittee shall implement any recommendations received from SHPO resulting from the survey. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.
Calcareous Fens	Mn DNR	6.2	Should any calcareous fens be identified within the project area, the Permittees must work with DNR to determine if any impacts will occur during any phase of the Project. If the Project is anticipated to impact any calcareous fens, the Permittees must develop a Calcareous Fen Management Plan in coordination with the DNR, as specified in Minn. Stat. § 103G.223. Should a Calcareous Fen Management Plan be required, the approved plan must be submitted concurrently with the plan and profile required in Section 9.2 of the Permit.
Vegetation Removal (Winter Tree Clearing)	Mn DNR	6.3	Permit language not provided by DNR, staff has crafted the language based on similar permit conditions in other dockets:

			The Permittee shall disturb or clear vegetation within the Designated Site only from November 1 to April 1 to the extent necessary to assure the safe construction, operation, and maintenance of the Project. The Permittee shall minimize the number of trees removed within the Designated Site specifically preserving to the maximum extent practicable windbreaks, shelterbelts, and living snow fences.
Facility Lighting	Mn DNR	6.4	The Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue for all new project substation and compensation station facilities. Downward facing lighting must be clearly visible on the plan and profile(s) submitted for the project.
Dust Control	Mn DNR	6.5	The Permittees shall utilize non-chloride products for dust control during construction.
Wildlife-Friendly Erosion Control	Mn DNR	6.6	The Permittees shall use only “bio-netting” or “natural netting” types and mulch products without synthetic (plastic) fiber additives.

**Attachment 2: Summary of Applicant Exceptions, Corrections to Factual Findings**

Finding 67	<p>Route Alternative A was <del>proposed by the public through the scoping process.</del> <u>first identified and studied by Great River Energy during Project development, prior to submitting its Route Permit Application, and was included in early public outreach regarding the Project.</u><sup>70</sup> The route begins at the Laketown Substation and travels along CSAH 10, connecting to the grid at a GRE-owned 115 kV transmission line along Guernsey Avenue. Traveling north to south, Route Alternative A begins at the Laketown Substation then follows the applicant's proposed route across CSAH 10 and then east. The proposed route then continues east and south along CSAH 10, crossing the road several times at various locations. It reaches a connection point along a GRE-owned 115 kV transmission line on the west side of Guernsey Avenue. The route width for this route alternative is approximately 1,400 feet wide.<sup>7071</sup></p>
Finding 68	<p>Route Alternative B was <del>also</del> proposed by the public through the scoping process. This route alternative begins at the Laketown Substation and connects to an Xcel-owned 115 kV transmission line along County Road 140. Traveling north to south, Route Alternative B begins at the Laketown Substation then follows the Applicant's Proposed Route until it reaches Augusta Avenue. Rather than turning east, this route alternative would turn west until it reaches Kelly Avenue. It will then travel south until it connects to the grid via an Xcel-owned 115 kV transmission line running east to west along County Road 140. The route width for this route alternative is approximately 1,400 feet wide.</p>
Finding 69	<p>Route Alternative C was <del>proposed by the public through the scoping process.</del> <u>first identified and studied by Great River Energy during Project development, prior to submitting its Route Permit Application, and was included in early public outreach regarding the Project.</u><sup>73</sup> The route begins at the Laketown Substation and travels south then east, connecting at a GRE-owned 115 kV transmission line along Guernsey Avenue. Traveling north to south, Route Alternative C begins at the Laketown Substation then follows the Applicant's Proposed Route until it reaches an Xcel-owned 230 kV transmission line that crosses Jersey Avenue. It will then collocate</p>

	with the 230 kV transmission line, traveling east until it connects with the GRE-owned 115 kV transmission line along Guernsey Avenue. This route alternative would require a switch modification and a connection to the transmission line on the eastern side of Guernsey Avenue. The route width for this route alternative is approximately 1,400 feet wide.
Finding 79	<p>Route Alternative A was initially designed to maximize collocation with an existing right-of way, Great River Energy rejected it in the Application. Great River Energy posits it would need to make 12 crossovers of CSAH 10 because of the density of structures that are close to the highway right-of-way. In addition, Carver County has imminent plans for major reconstruction/realignment of CSAH 10 planned within five to ten years, which would be after the anticipated installation of the Project. This would <del>require Great River Energy to conduct additional planning with Carver County to minimize</del> <u>result in greater impact to residences and existing structures, greater environmental impact, and cause significant</u> disruptions to the highway project and the operating transmission line when the roadway is expanded, <del>and then moved in some locations.</del><sup>82</sup>. <u>Moreover, Carver County has stated it opposes Route Alternative A.</u><sup>84</sup> <u>As further detailed in the Application, Route Alternative A was rejected for additional reasons, such as being in closer proximity to more residences than the Proposed Route, crossing more wetlands than the Proposed Route, including one crossing that exceeds 400 feet, meaning that a structure would likely need to be placed in a wetland, and requiring 12 crossovers of CSAH 10 because of the density of structures that are in close proximity to the highway right-of-way.</u><sup>85</sup></p> <p><sup>86</sup></p>
Finding 83	<p><u>[delete].</u></p> <p><u>[new paragraph] In addition, the Application described route options that Great River Energy initially considered but did not study further. In relevant part, Great River Energy considered a route that would have interconnected with Xcel Energy's existing 115-kV transmission system to the south of the Project, along County Road 140. However, Great River Energy did not carry the configuration forward</u></p>

	<p><u>because it would result in multiple substations, including the proposed new Laketown Substation, being overly sensitive to a single 115-kV circuit. This would result in a higher level of exposure to outages, resulting in less reliability.<sup>90</sup> Nonetheless, as described further herein, the EA studied this configuration as Route Alternative B.</u></p> <p><del>83. The significant human and environmental impacts this route avoids for the City of Victoria would be imposed instead on the City of Carver if this route were selected.</del></p>
Finding 85	<p>Route Alternative B was identified by the public during the public comment period. It begins at the Laketown Substation and connects to an Xcel-owned 115-kV transmission line along County Road 140. Traveling north to south, Route Alternative B begins at the Laketown Substation then follows the Applicants' Proposed Route until it reaches Augusta Avenue. Rather than turning east, this route alternative would turn west until it reaches Kelly Avenue. It would then travel south until it connects to the grid via an Xcel-owned 115-kV transmission line running east to west along County Road 140. The route width for this route alternative is approximately 1,400 feet wide.<sup>8994</sup></p> <p><u>Great River Energy considered a conceptually similar "route option" which connected to Xcel Energy's 115-kV transmission line; this route option was rejected and not studied further because it does not provide the same reliability benefits as the Proposed Route.<sup>95</sup></u></p>
Finding 100	<p><del>Project costs do not vary significantly for any of the route alternatives.</del></p> <p><u>100. Total project costs for the Proposed Route are \$17,965,000; for Route Alternative A are \$18,331,214; for Route Alternative B are \$15,549,987 (which would increase with the cost of a possible breaker station, which would cost approximately \$8-10 million.<sup>112</sup>); for Route Alternative C are \$16,708,249; and for Alignment Alternative D are \$17,696,444.<sup>113</sup></u></p>
Finding 108	<p>Great River Energy developed and analyzed a route that</p>



	<p>would largely follow CSAH 10; this route is Route Alternative A studied in the EA. Great River Energy rejected Route Alternative A during early Project planning, and as outlined in the Application, due to long-standing <u>published</u> plans for the reconstruction/realignment and expansion of CSAH 10, as detailed by Carver County, as well as the proximity of existing residences along CSAH 10. Great River Energy coordinated with Carver County officials, where Great River Energy provided detailed Project information and Carver County officials communicated plans for CSAH 10. <del>The Applicants gave significant weight to the County's interests in route development.</del> Carver County stated that it did not recommend routing along CSAH 10 because it would interfere with the County's published plans to realign and widen that road in the next 5-10 years. <sup>112</sup>119</p>
Finding 112	<p>The City of Carver has identified a portion of the Proposed Route that crosses an area subject to an orderly annexation agreement with the City, with <del>subsequent</del> <u>potential future</u> development. <sup>117</sup>127 <u>The City of Carver did not propose route alternatives during this process, and Great River Energy presented further analysis of the Proposed Route and the annexation agreement.</u> <sup>128</sup> According to an August 2018 map provided by the City of Carver, the Project would cross 1.7 miles of land that is presently outside the city but within the City of Carver's "ultimate growth boundary," 1.5 miles of which is identified with the future land use type of "low density residential" and 0.2 mile of which is along Hampshire Road, identified with the future land use type of "commercial/industrial." <sup>118</sup>129 This land has been part of the City of Carver's comprehensive planning for future development <del>for years. The Applicants failed to offer any solution to their oversight that does not interfere with</del> <u>in the post-2040 timeframe for years. Great River Energy evaluated the annexation agreement and the City of Carver's development plans.</u> <sup>119</sup> <u>future plans for the area over the next decades to assess whether, in light of that new information, the Proposed Route was still consistent with those plans. Because of the timing of potential development (in the future), the type of potential development (primarily agricultural, low-density residential, and commercial/industrial), and the type of project proposed here (a 115-kV transmission line following road and</u></p>

	<u>property lines), Great River Energy determined that the Proposed Route remained consistent with current and future land uses along that stretch of the route.</u> <sup>130</sup>
Finding 113	The City of Victoria noted in written comments dated May 22, 2025, that many properties within Route Alternative C <del>are</del> <u>were, at that time,</u> in the City's future commercial and flex-employment growth areas for the city, and that development of these properties is in its current comprehensive plan and has been highly anticipated for the last few decades. Moreover, the <del>area</del> impacted by Route Alternative C is planned and expected to become the commercial hub for Victoria with the City's first commercial project currently underway. <sup>120131</sup>
Finding 115	Great River Energy has continued coordination with Carver County throughout the route permit process and met with Carver County Public Works on June 5, 2025. At the meeting, Carver County stated that they anticipate constructing the CSAH 10 project in 2029, although no specific plans have been finalized. <sup>122133</sup> Because Carver County's CSAH 10 project remains in the planning stage, members of the <del>public and the City of Carver</del> argue that the Applicants could coordinate with Carver County to address the County's concerns while maximizing the co-location advantages of Route Alternative A. <sup>123134</sup> <u>The City of Carver took no official position.</u> <sup>135</sup>
Finding 116	Various members of the <u>public</u> provided comments at the in-person portion of the public hearing on May 21, 2025, in Chaska, Minnesota. Citizens made comments and asked <u>questions</u> concerning the EA, route alignment, and land acquisition process for the Project. Representatives from the <u>Applicant, the Commission, and EERA</u> provided responses. <sup>124136</sup> Three members of the public spoke at the virtual public hearing on May 22, 2025. Those individuals made comments regarding the Proposed Route and route alternatives. <sup>125137</sup> The majority of public commenters favor a route that maximizes co-location along CSAH 10. <sup>126</sup> <u>some residents along CSAH 10 also opposed that route.</u> <sup>138</sup>
Finding 123	No existing residences or businesses are anticipated to be permanently displaced by the Project on the Proposed Route, <u>or</u> Route Alternative B, <del>or Route Alternative C.</del> <sup>133</sup> <sup>145</sup>

Finding 125	<p>The Proposed Route would impact land <u>within Dahlgren Township but outside of the present boundaries of the City of Carver</u>, on which the City of Carver <del>plans</del> <u>would need to annex in order</u> to host future <u>city commercial, industrial, and residential developments</u>, <del>consistent with its 2040 Comprehensive Plan and anticipated population growth to 17,000 residents by 2055.</del><sup>136</sup> <u>No plans for imminent annexation or development were identified during this proceeding.</u><sup>148</sup> The Proposed Route is consistent with current and potential future land uses along that stretch of the route.<sup>149</sup></p>
Finding 126	<p>If Route Alternative A were constructed without regard to Carver County's realignment plans, there would be greater impact on existing residences and businesses, which are located on either side of CSAH 10.<sup>137</sup> <del>The</del><sup>150</sup> <u>Both the Applicants and Carver County</u> do not support Route Alternative A because, <del>as discussed in the fact below, it is more complicated for them. According to the Applicants, Route Alternative A would also cause disruptions to the Carver County CSAH 10 highway project and its preliminary, conceptual redesign of which the Applicants are aware that the final highway design is not yet available of significant disruptions to CSAH 10</del> and the operating transmission line when <del>the roadway</del> <u>CSAH 10</u> is expanded.<sup>138</sup><sup>151</sup></p>
Finding 129	<p>During the pendency of these proceedings, a portion of Route Alternative C has been annexed into the City of Victoria, and there is currently a Kwik Trip gas station being constructed directly within Route Alternative C. If Route Alternative C were approved as studied in the EA, <del>the Applicants could coordinate with land developers and design</del> <u>Route Alternative C would cross directly over the southern portion of the Kwik Trip gas station that is currently under construction, including two new roads, associated tree plantings along the road, and near gas pumps. This gas station would likely be displaced by the Project</u> <del>as to not interfere with ongoing development.</del><sup>155</sup></p> <p>In addition, a residential development (West Creek Village) is proposed to the northwest of the Kwik Trip parcels, and is bisected by Route Alternative C. The initial plan for the residential development accommodates the existing 230-kV line by planning homes to the north of that line and</p>

	maintaining wetlands and stormwater ponds under the line. Just north of the existing line, however, the plans show a series of residential lots. Route Alternative C crosses directly over the southernmost planned <u>residential</u> lots. <sup>142156</sup>
Finding 130	Impacts to local planning of the <del>Cities of Carver and</del> <u>City of</u> Victoria are likely to occur should <del>the Applicants' Proposed Route or</del> Route Alternative C be permitted by the Commission. <del>Route</del> <u>The Proposed Route remains consistent with current and future land uses in Dahlgren Township, including those areas that are presently outside of the City of Carver but within areas targeted for annexation in the future.</u> <sup>157</sup> <u>Route</u> Alternative B will have no known impacts to planning in terms of the County or local cities. <del>Coordination</del> , <u>but presents reliability concerns.</u> <sup>158</sup> <u>Applicants will continue coordination</u> with the cities <del>would</del> , <u>as applicable, in an effort to</u> reduce <del>any</del> potential unanticipated impact. <sup>143159</sup>
Finding 147	The City of Carver <del>has stressed</del> <u>stated</u> that the Proposed Route is not compatible with the City's future lands use plans and would severely limit development in the area. The City provided <del>its</del> <u>a 2018</u> Future Land Use Map illustrating its plans to zone the area east of County Road 43 and north of County Road 140 as residential, commercial and industrial. <sup>176194</sup> <u>Consistent with that timeframe, no plans for development were identified during this proceeding; the City's Comprehensive Plan identifies growth in that area in the post-2040 timeframe.</u> <sup>195</sup> <u>Nonetheless, the Proposed Route is consistent with current and future land uses along the route in the City of Carver's annexation of Dahlgren Township, and will help support future growth in the area.</u> <sup>196</sup>
Finding 152	The Applicants <del>must be required</del> <u>will continue</u> to work with affected communities and landowners to identify concerns related to Project aesthetics <u>and mitigate those concerns where feasible and practical.</u> In general, mitigation includes enhancing positive effects as well as minimizing or eliminating negative effects. Potential mitigation measures include: <ul style="list-style-type: none"> <li>• Locating structures, right-of-way, and other</li> </ul>

	<p>disturbed areas by considering input from landowners to minimize visual impacts.</p> <ul style="list-style-type: none"> <li>Care shall be used to preserve the natural landscape. Construction and operation shall be conducted to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the vicinity of the work.</li> </ul>
Finding 153	<p>Landowners <del>must</del><u>may</u> be compensated for the removal of trees and vegetation based on easement negotiations.<sup>170186</sup></p>
Finding 154	<p>The Proposed Route <del>will result in impacts to</del><u>is consistent with current and future land use plans along the portion of the route within</u> the City of Carver's <u>potential future</u> annexation <del>of Dahlgren Township and long-planned development identified in the City's 2040 Comprehensive Plan. area, and will help support the City of Carver's desired future growth.</del><sup>187</sup></p> <p>Short term agricultural impacts might occur during construction, which will be mitigated through restoration and compensatory payments. There will be permanent structures within agricultural fields. Additionally, the Project is a 115-kV transmission line — a common feature in communities and operating in conjunction with homes, businesses, and industry and is not inconsistent with the rural character of the Project Area.<sup>174188</sup> The EA recognizes that "impacts are anticipated to be minimal, if it all, since HVTL does not have a large potential to change underlying land use," and also that "[i]nterference with county zoning ordinances is not expected."<sup>172189</sup></p>
Finding 155	<p>With respect to the Proposed Route, the City of Carver has identified a portion of the route for potential future annexation into the City, with subsequent development. <del>The Applicants have not adequately addressed this avoidable impact on the City of Carver.</del> According to an August 2018 map provided by the City of Carver, the Project would cross 1.7 miles of land that is outside the</p>

	city but within the City of Carver’s “ultimate growth boundary,” 1.5 miles of which is identified with the future land use type of “low density residential” and 0.2 mile of which is along Hampshire Road, identified with the future land use type of “commercial/industrial.” This land is subject to an Orderly Annexation Agreement, is part of the City’s 2040 Comprehensive Plan, and is primarily in agricultural use at present. <sup>173</sup> <sup>190</sup>
Finding 156	<p>The Applicants met with the City of Carver initially on November 1, 2024, and again on May 7, 2025. During these meetings the Applicants discussed the Project routing process along with the state permitting process and <del>claimed</del><u>committed to ensuring</u> the City of Carver <del>it</del> would be kept informed of the Project moving forward.<sup>174</sup><sup>191</sup></p> <p><u>More recently, Great River Energy again offered to meet with City representatives or present to the City Council.</u><sup>192</sup></p> <p><u>The City invited Great River Energy to attend a July 2025 City Council meeting, which Great River Energy attended and discussed the Project.</u></p>
Finding 157	<p><del>Despite the meeting between the Applicants and the City of Carver in November 2024, the Applicants made no adjustments to the Proposed Route to address the City’s concerns. City officials observed that Applicants’ staff have displayed “hostility, negativity and dismissiveness” toward the City’s efforts to see its concerns addressed.</del><sup>175</sup></p> <p><u>Following the City of Carver’s comments, Great River Energy evaluated the annexation agreement and the City of Carver’s future plans for the area over the next decades to assess whether, in light of that new information, the Proposed Route was still consistent with those plans. Because of the timing of potential development (in the future), the type of potential development (primarily agricultural, low-density residential, and commercial/industrial), and the type of project proposed here (a 115-kV transmission line following road and property lines), Great River Energy determined that the Proposed Route remained consistent with current and future land uses along that stretch of the route.</u><sup>193</sup></p>
Finding 159	Route Alternative A may result in “some interference with planning of future development along CSAH 10.” <sup>178</sup> <sup>197</sup> Specifically, Carver County plans to expand the roadway to a four-lane divided highway, realign, and relocate portions of CSAH 10 in the five to ten years. <del>Final</del> <u>Initial plans have</u>

	<p><u>been published, and final</u> highway plans are still under development. <del>As such, nothing prevents the Applicants from minimizing disruption to Carver County in placing a new transmission line along CSAH 10.</del><sup>179</sup> <u>Route Alternative A would cause disruptions to the Carver County CSAH 10 highway project and the operating transmission line when the roadway is expanded.</u><sup>198</sup> <u>As further detailed in the Application, Route Alternative A was rejected for additional reasons, such as being in closer proximity to more residences than the Proposed Route, crossing more wetlands than the Proposed Route, including one crossing that exceeds 400 feet, meaning that a structure would likely need to be placed in a wetland, and requiring 12 crossovers of CSAH 10 because of the density of structures that are in close proximity to the highway right-of-way.</u><sup>199</sup></p>
Finding 160	<p>The City of Victoria has stated that Route Alternative C would impact land that has “been highly anticipated for the last few decades to become the commercial hub for the city. An additional power line and easement adjacent to the existing Xcel Energy power line and easement would severely prohibit development of this highly anticipated growth area.”<sup>189200</sup> The City of Victoria has continued to proceed with development in this area, and <del>these a new</del> <u>right-of-way along the existing line, within areas that are currently being developed, would introduce new and unique routing constraints not experienced along the Proposed Route, and at the objection of the City of Victoria.</u><sup>201</sup> <u>These</u> development plans did not contemplate the presence of an additional transmission line right-of-way intersecting development properties. Development plans have progressed to the point where commercial structures, such as the Kwik Trip gas station, have been approved by the City of Victoria, are presently under construction, and will be directly impacted by the Route Alternative C.<sup>181202</sup></p> <p><u>[new] Based on other existing 115-kV systems, Great River Energy explained that, in its experience, residential and commercial development can and will proceed around the transmission line. For example, the Commission recently approved Great River Energy’s application to rebuild a transmission line in Burnsville, Eagan, Apple Valley; commercial and residential development had grown up substantially around the line, and there was no indication in the record that the line had at all inhibited growth. Here, too, the Project’s proposed 100-foot right-of-way</u></p>



	<p><u>(approximately 55 feet on private land where following roadways) is not anticipated to materially impact future residential, commercial, or industrial development along the Proposed Route.</u><sup>203</sup></p> <p><u>[new] The Project's compatibility with future orderly development is highlighted by the development along and within Route Alternative C directly adjacent to a 230-kV line, a higher voltage than the Project. Where that line existed first, residential and commercial development has continued to grow up in close proximity (indeed, directly adjacent to) that line.</u><sup>204</sup></p>
Finding 161	<p>The record demonstrates that the Proposed Route <del>will significantly impede future development by the City of Carver consistent with its well-documented and long-planned future development,</del> <u>is consistent with current and future land uses, will help support future growth in the area,</u><sup>205</sup> <u>and that no specific and/or imminent plans for development inconsistent with the proposed right-of-way in Dahlgren Township were identified during this proceeding.</u><sup>206</sup> Route Alternative A will result in significant complications for Carver County, and Route Alternative C will interfere with the City of Victoria's land use plans. Route Alternative B has the greatest potential to minimize overall conflict with existing and planned land use.<sup>+82207</sup></p>
Finding 177	<p>Carver County's preliminary plans to expand and widen CSAH 10 could result in additional, significant impacts for Route Alternative A. Aligning the Project along the existing CSAH 10 would result in more impacts to residential landowners along CSAH 10 as compared to the Proposed Route. The density of residential homes and businesses on either side of the highway would require that Great River Energy make several crossings of the road, approximately 12, to avoid impacts to existing structures and provide proper setbacks.<sup>201</sup> <del>The Applicants claim that attempting to design</del><sup>226</sup> <u>Designing</u> the Project around <del>future published</del> plans for CSAH 10 is <del>not only</del> speculative because those plans have not been finalized, <del>but</del> <u>and</u> would also move the Project farther into farm fields and could potentially require the displacement of homes.<sup>202227</sup> <u>As further detailed in the Application, Route Alternative A was also rejected for additional reasons, such as being in closer proximity to more residences than the Proposed Route, crossing more wetlands than the Proposed Route, including one crossing that exceeds 400 feet, meaning that</u></p>

	a structure would likely need to be placed in a wetland. <sup>228</sup>
Finding 199	<p>Overall, impacts to agriculture are expected to be minimal for all routing options.<sup>224</sup><sup>250</sup> <u>Additionally, the Applicants committed to working with landowners “to minimize impacts to agricultural activities” and compensating landowners “for any crop damage/loss and soil compaction that may occur during construction.” Further measures are described in Section 6.5.1 of the Application. Individual easement or purchase agreements can compensate farmers for loss of agricultural production or lands.</u><sup>251</sup></p>
Finding 277	<p>The City of Carver opposes the Proposed Route because it will hinder its development plans. Route Alternative A is opposed by Carver County because it would interfere with Carver County’s planned highway expansion and relocation; this alternative also impacts the greatest number of residences and crosses a recently annexed area of the City of Victoria. The Applicants oppose Route Alternative B based upon their design choices, arguing Route Alternative B does not enhance system reliability, as further discussed in section J, as would the Proposed Route. Route Alternative C is opposed by the City of Victoria because it conflicts with current development.<sup>317</sup><sup>344</sup> The record <del>does not establish that modifications cannot be made to address any design challenges—Applicants perceive regarding</del> <u>establishes that</u> Route Alternative B. <u>would result an uneven distribution of loading on the electrical system in the area.</u><sup>345</sup> <u>If Route Alternative B is selected, Great River Energy would evaluate whether a breaker station would be added between Augusta and Victoria, which would require a 20-acre greenfield breaker station in the future.</u><sup>346</sup></p>
Finding 288	<p>The Applicants argue that use of Route Alternative B would make the local electrical grid less reliable than their Proposed Route.<sup>337</sup><sup>366</sup> Great River Energy initially analyzed a similar route option as Route Alternative B during Project development and in the Application, but did not consider or study the configuration further because this configuration would result an uneven distribution of loading on the electrical system in the area and thus would not meet the identified need as well as the Project’s Proposed Route. Route Alternative B would also result in multiple substations, including the proposed new Laketown Substation, to be co-dependent on a single 115-kV circuit, resulting in a higher level of exposure to outages resulting</p>

	<p>in less reliability.<sup>338367</sup> <u>To achieve the same level of reliability as the Proposed Route,</u> Route Alternative B would require a new breaker station on the existing line between Augusta and Victoria. <del>Reasonable design modification can likely address the Applicants' reliability claims.</del><sup>339</sup> <u>A new breaker station would require an approximately 20-acre greenfield site that would need to be purchased from a private landowner and would cost approximately \$8-10 million.</u><sup>368</sup></p>
Finding 298	<p>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 will include the use of water, aggregate resources, hydrocarbons, steel, concrete, wood, and other consumable resources.<sup>349378</sup></p> <p><u>[new] The Proposed Route seeks to maximize co-location while minimizing impact on irreversible resources; avoids the adverse impact of Route Alternative A's impact on residences and Carver County's published plans for CSAH 10 improvements; compares favorably to Route Alternative B with respect to reliability; and avoids adverse impact of Alternative C on ongoing development in the City of Victoria in close proximity to the existing 230-kV line.</u><sup>379</sup></p>
Finding 299	<p>The review of the various human and environmental data sets indicates that <del>Route Alternative B is the least problematic for the affected communities (Carver County, the City of Victoria, the City of Carver, and Laketown and Dahlgren Townships) as a whole. Route Alternative B also somewhat mitigates the Applicants' failure to provide statutorily required notice to the City of Carver in the early planning stage as a municipality likely to be affected by the Project.</del><sup>350</sup> <u>although there are differences in the Proposed Route and Route Alternatives, the Proposed Route compares favorably when considering human and environmental impacts as a whole.</u><sup>380</sup></p>

Finding 300	<p>The Proposed Route is longer and less collocated than the Route Alternatives <del>and will interfere with the City of Carver's planned development.</del> Route Alternative A would interfere with Carver County's published plans to realign and widen CSAH 10 in the next 5-10 years.<sup>351</sup><sup>381</sup> Likewise, the City of Victoria noted that Route Alternative C would "severely prohibit development" of an area that has been "highly anticipated for the last few decades to become the commercial hub for the city," including residential and commercial development.<sup>352</sup><sup>382</sup></p> <p><u>[new] Although the City of Carver has expressed opposition to the Proposed Route because of concerns about impacts on potential future development within an area of Dahlgren Township that is presently outside of its city limits, the record reflects that there are no published or near-term plans for development in this area, and that orderly development regularly occurs around existing 115-kV lines like the Project. The type of future development contemplated by the City of Carver is consistent with, and will indeed be supported by, a 115-kV line, particularly one that follows roads and property lines like the Proposed Route. Further, Great River Energy has committed to continued engagement with the City of Carver to ensure that the City is kept well-informed of the Project.</u><sup>383</sup></p>
Finding 301	<p>Route Alternative B would result <u>in</u> an uneven distribution of loading on the electrical system in the area and thus would not meet the identified need as well as the Project's Proposed Route. Route <u>Alternative B</u> would result in the proposed new Laketown Substation to be co-dependent on a single 115-kV circuit. This could cause a higher level of exposure to outages resulting in less reliability. <del>However, Applicants acknowledge that comparable reliability is feasible, although it will cost them</del> <u>Achieving a similar level of reliability with Route Alternative B would require a new approximately 20-acre greenfield breaker station site that would need to be purchased from a private landowner and would cost approximately \$58-10 million</u> <del>more than their preferred route.</del><sup>353</sup> <sup>384</sup></p>
Finding 303	<p>The Proposed Route will span the most farmland.<sup>357</sup> <u>however the EA recognizes that impacts to agriculture are expected to be minimal for all routing options.</u><sup>388</sup> The Proposed Route is anticipated to clear less than two acres of vegetation, as compared to less than one acre for other alternatives.<sup>358</sup><sup>389</sup></p>

Finding 310	<p>With respect to vegetation removal, MDNR recommends and EERA supports a special condition that Applicants conduct only winter tree-clearing for the Project. Applicants <u>do not support MDNR's recommendation because it is broader than typically required by the Commission and not necessitated by this Project. The MDNR's MCE review MCE-23-00902, referenced in the June 2, 2025 comments, indicated that no state-listed endangered or threatened species, including bats, have been documented within the vicinity of the Project. In addition, the USFWS Determination Key completed by the Applicants and provided as an appendix to the Application indicated that "the action area is not located within 0.5-miles of a known northern long-eared bat hibernaculum" and "the Project does not intersect known sensitive areas for northern long-eared bats." Further, limiting tree clearing to the winter months is not always feasible or practical. Applicants have already committed to taking measures to minimize the impact of vegetation clearing on birds and wildlife, including the use of best management practices and conducting clearing in wetlands when the ground and wetlands are frozen, or using construction mats to minimize impacts to vegetation. Applicants also stated that they will comply with applicable regulations and USFWS requirements related to tree-clearing, and will continue to coordinate with USFWS prior to construction of the Project. <del>Although the Applicants do not support this condition, there is no demonstrated harm to Applicants by following MDNR's recommendation.</del></u><sup>365396</sup></p>
Finding 311	<p><del>Overall, the record supports inclusion of MDNR's recommendation requiring winter tree-clearing.</del><sup>366</sup></p>
Finding 316	<p>The Applicants <del>proposed amending the EA to support their opinion that Route Alternatives A, B, and C and Alignment Alternative D are more impactful and less beneficial than the Applicants' Proposed Route. Those amendments are</del> <u>not provided comments and clarifications on the EA's evaluation and comparison of route alternatives. Those comments and clarifications are</u> supported by the record.<sup>371401</sup></p>

Conclusions of Law: 9	The evidence in the record is sufficient to demonstrate <del>only</del> <u>the Proposed Route and</u> Route Alternative B <del>potentially satisfies</del> <u>satisfy</u> all requirements for the Project.
Conclusions of Law: 11	The evidence in the record <del>demonstrates that</del> <u>does not support the inclusion of</u> the special condition identified in Section XVI, above, <del>is appropriate for the Project.</del>
Recommendation	Based upon these Conclusions, the Commission may issue a Route Permit for <del>Route Alternative B, conditioned upon additional planning and coordination with the City of Carver sufficient to cure Applicants' failure to provide notice.</del> <u>the Proposed Route</u> In the alternative, the Commission should <del>DENY the Application</del> <u>issue a Route Permit for Route Alternative B.</u>

### Attachment 3: Summary of Applicant Exceptions, Corrections to Noticing Requirements

Summary of Recommendation	The Applicants have <del>not</del> satisfied all applicable legal requirements, <del>because notice required by Minn. Stat. §§ 216E.03, .04 was not provided to the City of Carver. Route Alternative B, proposed by the public and determined to have fewer human and environmental impacts by EERA than.</del> <u>Accordingly, the Judge recommends the Commission GRANT a Route Permit for the Project for</u> the Applicants' Proposed Route <del>and other alternatives studied, may be permitted so long as the prejudice to the City of Carver is mitigated. If the Commission issues a permit for Route Alternative B, the permit should include special conditions requiring the Applicants to work closely with Carver County, the City of Victoria, the City of Carver, and affected landowners to minimize and mitigate the Project's impact on planned development and maximize future development options.</del> In the alternative, the Commission should <del>DENY a route permit</del> <u>GRANT a Route Permit</u> for the Project <u>for Route Alternative B.</u>
Finding 73	In developing the Proposed Route, prior to filing the Application, Great River Energy conducted public outreach consisting of landowner coordination, open houses, and agency coordination. <sup>7678</sup> This included presentation of three potential routes to stakeholders, including the Proposed Route (presented as "Option 1 — Preferred"), Route Alternative A (presented as "Option

	3”), and Route Alternative C (presented as “Option 2”), all of which were analyzed in the EA. <sup>77</sup> <del>Although clearly an important stakeholder, the City of Carver was not afforded this opportunity to provide input into the Applicants’ determination of their Proposed Route.</del> <sup>79</sup>
Finding 103	<p><del>Preapplication coordination with all local government units located where a route “may be located” is mandatory.</del><sup>107</sup> Minn. Stat. § 216E.03, subd. 3a, requires prior notice of at least 90 days.</p> <p>103. <u>Under the alternative review procedure, an Applicant must provide notice of a project pursuant to Minn. Stat. § 216E.03, subd 4 (2023); and Minn. R. 7850.2100, subps. 2 and 4.</u></p>
Finding 107	<p>The Applicants’ Project Introduction Notification Letter, dated April 19, 2024, was mailed to stakeholders that included, among others, Carver County and the City of Victoria. <del>The City of Carver was not afforded this early notice, despite having a recorded orderly annexation agreement with Dahlgren Township.</del><sup>111</sup><sup>118</sup></p>
Finding 111	<p>The <u>Application did not propose a route in the City of Carver, and no route within the City of Carver was</u> <del>not notified of, aware of, or engaged in the process until a proposed during this process.</del><sup>123</sup> <u>However, because the Project was proposed to cross Dahlgren Township (outside of the city limits of the City of Carver), the Applicants met with Dahlgren Township on July 8, 2024, prior to submittal of the Application. No annexation agreement between Dahlgren Township and the City of Carver was mentioned as a concern relative to the Project.</u><sup>124</sup> <u>A Dahlgren Township resident alerted</u> <del>notified</del> <u>the City of Carver to the Project on October 29, 2024, after the EA scoping meetings were held.</u><sup>116</sup><sup>125</sup> <u>Great River Energy reached out to the City of Carver shortly after the scoping meeting to discuss the Project, and City representatives and Great River Energy corresponded regarding the Project.</u><sup>126</sup></p>



Finding 158	<del>Despite failing to provide required notice to the City of Carver and to involve the City as it did with Carver County and the City of Victoria, Great River Energy claims that, in its experience, residential and commercial development can and will proceed around the transmission line.</del> <sup>177</sup>
Finding 313	The Applicants provided notice to <del>some of</del> the public and local governments in satisfaction of Minnesota statutory and rule requirements. <del>The Applicants failed to provide mandatory notice to the City of Carver.</del> <sup>368398</sup>
Finding 314	EERA and the Commission likewise provided notices in satisfaction of Minnesota statutes and rules, <del>except as to the City of Carver.</del> <sup>369, 399</sup>
Conclusions of Law: 5	Applicants <del>failed to give</del> <sup>gave</sup> notice as required by Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4 <del>when they failed to provide notice to the City of Carver. This failure fundamentally undermines the legislative mandate that all communities be notified of and afforded meaningful opportunity to participate in the planning of transmission line projects likely to affect them. This failing is grounds for denial of the Application or for an order requiring additional proceedings to cure Applicants' error.</del>
Conclusions of Law: 7	The evidence in the record demonstrates that the Proposed Route <del>does not satisfy</del> <sup>satisfies</sup> 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 <del>as to the City of Carver and to the maximization of existing infrastructure.</del>

**STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION**

**ROUTE PERMIT FOR  
LAKETOWN 115 KV TRANSMISSION LINE PROJECT**

**A HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES**

**IN  
CARVER COUNTY**

**ISSUED TO  
GREAT RIVER ENERGY AND  
MINNESOTA VALLEY ELECTRIC COOPERATIVE**

**PUC DOCKET NO. ET2/TL-24-132**

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

**[Permittee]**

Great River Energy is authorized by this route permit to construct and operate the 115 kV Transmission Line Project.

The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

Approved and adopted this \_\_\_\_ day of [Month, Year]

BY ORDER OF THE COMMISSION

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Will Seuffert,  
Executive Secretary

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## **ATTACHMENTS**

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

Attachment 2 – Compliance Filing Procedures for Permitted Energy Facilities

Attachment 3 – Route Permit Maps

## **1 ROUTE PERMIT**

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This route permit authorizes the Permittee to construct and operate the Laketown 115 Kilovolt kV Transmission Line Project, henceforth known as Transmission Facility). The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

### **1.1 Pre-emption**

Pursuant to Minn. Stat. § 216E.10, this route permit shall be the sole route approval required for construction of the transmission facilities and this route permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

## **2 TRANSMISSION FACILITY DESCRIPTION**

[Provide a description of the Transmission Facility as authorized by the Commission]

The Transmission Facility is located in the following:

County	Township Name	Township	Range	Section
Carver	Laketown	116	24	

### **2.1 Structures**

The structures will consist primarily of direct-embedded steel monopoles, 70 to 95 feet above ground and placed 300 to 450 feet apart. Direct-embed steel structures or steel structures on concrete foundations would be approximately 30 inches in diameter.

Steel structures on concrete foundations may be needed for angled structures; the size of these structures is dependent on the tension on the line, and/or the angle of deflection the structure 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.

Multi-pole (e.g., 3-pole deadend) and/or H-frame structures are designed in a horizontal configuration, which maintains the transmission line conductors parallel to the ground.

Horizontal configuration is sometimes desirable where the proposed transmission line crosses under other existing high voltage transmission lines.

A deadend structure is used to change direction and/or wire tension on a transmission line. Deadend structures can use wood, wood laminate, direct steel embedded, or steel on concrete foundation structures and can have a larger cross section than the typical structures.

## **2.2 Conductors**

The double circuit structures will have six single-conductor phase wires (three conductors per circuit) and one shield wire. It is anticipated that the phase wires will be 795 thousand circular mil aluminum-clad steel supported (795 ACSS) or a conductor with similar capacity. The shield wire will be 0.528 optical ground wire.

The table below details specifics on the various structure and conductor types as presented in the route permit application.

Line Type	Conductor	Structure		Foundation	Height	Span
		Type	Material			
115 kV	795 ACSS	Monopole with horizontal post or braced post	Steel	Direct embed or concrete	70 – 95 feet	300 – 400 feet
115 kV	795 ACSS	H-Frame	Steel	Direct embed or concrete	70 – 90 feet	350 – 800 feet
115 kV	795 ACSS	Three-Pole	Steel	Direct embed or concrete	70 – 90 feet	350 – 800 feet

## **2.3 Substations and Associated Facilities**

A new Laketown Substation will be built at the northwest corner of County State Aid Highway 10 and Jersey Avenue. The substation will require installation of new bus work, new breakers, and new control equipment.

## **3 DESIGNATED ROUTE**

The route designated by the Commission is depicted on the route maps attached to this route permit (Designated Route). The Designated Route is generally described as follows:

[Provide detailed description of the authorized route including the route widths and any other specifics relevant to each segment. Also include a reference to the relevant route map to be attached to the route permit.]

The Designed Route includes an anticipated alignment and a right-of-way. The right-of-way is the physical land needed for the safe operation of the transmission line. The Permittee shall locate the alignment and associated right-of-way within the Designated Route unless otherwise authorized by this route permit or the Commission. The Designated Route provides the Permittee with flexibility for minor adjustments of the alignment and right-of-way to accommodate landowner requests and unforeseen conditions.

Any modifications to the Designated Route or modifications that would result in right-of-way placement outside the Designated Route shall be specifically reviewed by the Commission in accordance with Minn. R. 7850.4900 and Section 10 of this route permit.

#### **4 RIGHT-OF-WAY**

This route permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 100 feet in width. The permanent right-of-way is typically 50 feet on both sides of the transmission line measured from its centerline or alignment.

The anticipated alignment is intended to minimize potential impacts relative to the criteria identified in Minn. R. 7850.4100. The final alignment must generally conform to the anticipated alignment identified on the route maps unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this route permit.

Any right-of-way or alignment modifications within the Designated Route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way and alignment identified in this route permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this route permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. R. 7850.4100, and the other requirements of this route permit; and for highways under the jurisdiction of the Minnesota Department of Transportation (MnDOT), the procedures for accommodating utilities in trunk highway rights-of-way.



## **5 GENERAL CONDITIONS**

The Permittee shall comply with the following conditions during construction and operation of the Transmission Facility over the life of this route permit.

### **5.1 Route Permit Distribution**

Within 30 days of issuance of this route permit, the Permittee shall provide all affected landowners with a copy of this route permit and the complaint procedures. An affected landowner is any landowner or designee that is within or adjacent to the Designated Route. In no case shall a landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. The Permittee shall also provide a copy of this route permit and the complaint procedures to the applicable regional development commissions, county environmental offices, and city and township clerks. The Permittee shall file with the Commission an affidavit of its route permit and complaint procedures distribution within 30 days of issuance of this route permit.

### **5.2 Access to Property**

The Permittee shall notify landowners prior to entering or conducting maintenance within their property, unless otherwise negotiated with the landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of the Minnesota Department of Commerce (Department of Commerce) staff or Commission staff.

### **5.3 Construction and Operation Practices**

The Permittee shall comply with the construction practices, operation and maintenance practices, and material specifications described in the permitting record for this Transmission Facility unless this route permit establishes a different requirement in which case this route permit shall prevail.

#### **5.3.1 Field Representative**

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this route permit during construction of the Transmission Facility. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative at least 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact

information to affected landowners, local government units and other interested persons at least 14 days prior to the pre-construction meeting. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons. The Permittee shall file with the Commission an affidavit of distribution of its field representative's contact information at least 14 days prior to the pre-construction meeting and upon changes to the field representative.

### **5.3.2 Employee Training - Route Permit Terms and Conditions**

The Permittee shall train all employees, contractors, and other persons involved in the Transmission Facility construction regarding the terms and conditions of this route permit. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

### **5.3.3 Independent Third-Party Monitoring**

Prior to any construction, the Permittee shall propose a scope of work and identify an independent third-party monitor to conduct construction monitoring on behalf of the Department of Commerce. The scope of work shall be developed in consultation with and approved by the Department of Commerce. This third-party monitor will report directly to and will be under the control of the Department of Commerce with costs borne by the Permittee. Department of Commerce staff shall keep records of compliance with this section and will ensure that status reports detailing the construction monitoring are filed with the Commission in accordance with scope of work approved by the Department of Commerce.

### **5.3.4 Public Services, Public Utilities, and Existing Easements**

During Transmission Facility construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these shall be temporary, and the Permittee shall restore service promptly. Where any impacts to utilities have the potential to occur the Permittee shall work with both landowners and local entities to determine the most appropriate mitigation measures if not already considered as part of this route permit.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

### **5.3.5 Temporary Workspace**

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. The Permittee shall obtain temporary easements outside of the authorized transmission line right-of-way from affected landowners through rental agreements. Temporary easements are not provided for in this route permit.

The Permittee may construct temporary driveways between the roadway and the structures to minimize impact using the shortest route feasible. The Permittee shall use construction mats to minimize impacts on access paths and construction areas. The Permittee shall submit the location of temporary workspaces and driveways with the plan and profile pursuant to Section 9.1.

#### **5.3.6 Noise**

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. The Permittee shall limit construction and maintenance activities to daytime working hours to the extent practicable.

#### **5.3.7 Aesthetics**

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. The Permittee shall use care to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the Transmission Facility during construction and maintenance. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. The Permittee shall place structures at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

#### **5.3.8 Soil Erosion and Sediment Control**

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the Transmission Facility disturbs more than one acre of land or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the Transmission Facility shall be returned to pre-construction conditions.

### **5.3.9 Wetlands and Water Resources**

The Permittee shall develop wetland impact avoidance measures and implement them during construction of the Transmission Facility. Measures shall include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, the Permittee shall construct in wetland areas during frozen ground conditions where practicable and according to permit requirements by the applicable permitting authority. When construction during winter is not possible, the Permittee shall use wooden or composite mats to protect wetland vegetation.

The Permittee shall contain soil excavated from the wetlands and riparian areas and not place it back into the wetland or riparian area. The Permittee shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. The Permittee shall not place staging or stringing set up areas within or adjacent to wetlands or water resources, as practicable. The Permittee shall assemble power pole structures on upland areas before they are brought to the site for installation.

The Permittee shall restore wetland and water resource areas disturbed by construction activities to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. The Permittee shall meet the USACE, Minnesota Department of Natural Resources (DNR), Minnesota Board of Water and Soil Resources, and local units of government wetland and water resource requirements.

### **5.3.10 Vegetation Management**

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

The Permittee shall remove tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission line. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission line or impede construction.

#### **5.3.11 Application of Pesticides**

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture (MDA), DNR, and the U.S. Environmental Protection Agency (EPA). Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner at least 14 days prior to pesticide application on their property. The Permittee may not apply any pesticide if the landowner requests that there be no application of pesticides within the landowner's property. The Permittee shall provide notice of pesticide application to landowners and beekeepers operating known apiaries within three miles of the pesticide application area at least 14 days prior to such application. The Permittee shall keep pesticide communication and application records and provide them upon the request of Department of Commerce staff or Commission staff.

#### **5.3.12 Invasive Species**

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by Transmission Facility construction activities. The Permittee shall develop an Invasive Species Prevention Plan and file it with the Commission at least 14 days prior to the pre-construction meeting. The Permittee shall comply with the most recently filed Invasive Species Prevention Plan.

#### **5.3.13 Noxious Weeds**

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

#### **5.3.14 Roads**

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city, or township roads that will be used during the construction phase of the Transmission Facility. Where practical, existing roadways shall be used for all activities associated with construction of the Transmission Facility. Oversize or overweight loads associated with the Transmission Facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the fewest number of site access roads required. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

#### **5.3.15 Archaeological and Historic Resources**

The Permittee shall make every effort to avoid impacts to archaeological and historic resources when constructing the Transmission Facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize Transmission Facility impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, the Permittee shall train workers about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. The Permittee shall not resume construction at such location until authorized by local law enforcement or the State Archaeologist. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

#### **5.3.16 Avian Protection**

The Permittee in cooperation with the DNR shall identify areas of the transmission line where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction

Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. The Permittee shall submit documentation of its avian protection coordination with the plan and profile pursuant to Section 9.2.

#### **5.3.17 Drainage Tiles**

The Permittee shall avoid, promptly repair, or replace all drainage tiles broken or damaged during all phases of the Transmission Facility's life unless otherwise negotiated with the affected landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

#### **5.3.18 Restoration**

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the Transmission Facility. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall file with the Commission a Notice of Restoration Completion.

#### **5.3.19 Cleanup**

The Permittee shall remove and properly dispose of all construction waste and scrap from the right-of-way and all premises on which construction activities were conducted upon completion of each task. The Permittee shall remove and properly dispose of all personal litter, including bottles, cans, and paper from construction activities daily.

#### **5.3.20 Pollution and Hazardous Wastes**

The Permittee shall take all appropriate precautions to protect against pollution of the environment. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all waste generated during construction and restoration of the Transmission Facility.

#### **5.3.21 Damages**

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during



construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

## **5.4 Electrical Performance Standards**

### **5.4.1 Grounding**

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliamperes rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

### **5.4.2 Electric Field**

The Permittee shall design, construct, and operate the transmission line in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

### **5.4.3 Interference with Communication Devices**

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the Transmission Facility, the Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the Transmission Facility. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce staff or Commission staff.

## **5.5 Other Requirements**

### **5.5.1 Safety Codes and Design Requirements**

The Permittee shall design the transmission line and associated facilities to meet or exceed all relevant local and state codes, the National Electric Safety Code, and North American Electric Reliability Corporation requirements. This includes standards relating to clearances to ground,

clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements.

### **5.5.2 Other Permits and Regulations**

The Permittee shall comply with all applicable state statutes and rules. The Permittee shall obtain all required permits for the Transmission Facility and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations.

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission an Other Permits and Regulations Submittal that contains a detailed status of all permits, authorizations, and approvals that have been applied for specific to the Transmission Facility. The Other Permits and Regulations Submittal shall also include the permitting agency name; the name of the permit, authorization, or approval being sought; contact person and contact information for the permitting agency or authority; brief description of why the permit, authorization, or approval is needed; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such and an updated Other Permits and Regulations Submittal prior to commencing construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals at the request of Department of Commerce staff or Commission staff.

## **6 SPECIAL CONDITIONS**

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

### **6.1 Phase 1 Archaeological Survey**

The Permittee shall conduct a Phase 1 archeological survey of the permitted route. The Permittee shall share the results of the survey with the State Historic Preservation Office (SHPO). The Permittee shall implement any recommendations received from SHPO resulting from the survey. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **6.2 Calcareous Fens**

Should any calcareous fens be identified within the project area, the Permittees must work with DNR to determine if any impacts will occur during any phase of the Project. If the Project is anticipated to impact any calcareous fens, the Permittees must develop a Calcareous Fen Management Plan in coordination with the DNR, as specified in Minn. Stat. § 103G.223. Should a Calcareous Fen Management Plan be required, the approved plan must be submitted concurrently with the plan and profile required in Section 9.2 of the Permit.

### **6.3 Vegetation Removal (Winter Tree Clearing)**

The Permittee shall disturb or clear vegetation within the Designated Site only from November 1 to April 1 to the extent necessary to assure the safe construction, operation, and maintenance of the Project. The Permittee shall minimize the number of trees removed within the Designated Site specifically preserving to the maximum extent practicable windbreaks, shelterbelts, and living snow fences.

### **6.4 Facility Lighting**

The Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue for all new project substation and compensation station facilities. Downward facing lighting must be clearly visible on the plan and profile(s) submitted for the project.

### **6.5 Dust Control**

The Permittees shall utilize non-chloride products for dust control during construction.

### **6.6 Wildlife-Friendly Erosion Control**

The Permittees shall use only “bio-netting” or “natural netting” types and mulch products without synthetic (plastic) fiber additives.

## **7 DELAY IN CONSTRUCTION**

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this route permit the Permittee shall file a Failure to Construct Report and the Commission shall consider suspension of this route permit in accordance with Minn. R. 7850.4700.

## **8 COMPLAINT PROCEDURES**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the complaint procedures that will be used to receive and respond to complaints. The complaint procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this route permit.

Upon request, the Permittee shall assist Department of Commerce staff or Commission staff with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

## **9 COMPLIANCE REQUIREMENTS**

Failure to timely and properly make compliance filings required by this route permit is a failure to comply with the conditions of this route permit. Compliance filings must be electronically filed with the Commission.

### **9.1 Pre-Construction Meeting**

Prior to the start of construction, the Permittee shall participate in a pre-construction meeting with Department of Commerce and Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the anticipated construction start date.

### **9.2 Plan and Profile**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission, and provide the Department of Commerce, and the counties where the Transmission Facility, or portion of the Transmission Facility, will be constructed with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the Transmission Facility. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this route permit.

The Permittee may not commence construction until the earlier of (i) 30 days after the pre-construction meeting or (ii) or until the Commission staff has notified the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this route permit.

If the Commission notifies the Permittee in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this route permit, the Permittee may submit additional and/or revised documentation and may not commence construction until the Commission has notified the Permittee in writing that it has determined that the planned construction is consistent with this route permit.

If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission, the Department of Commerce, and county staff at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this route permit.

### **9.3 Status Reports**

The Permittee shall file with the Commission monthly Construction Status Reports beginning with the pre-construction meeting and until completion of restoration. Construction Status Reports shall describe construction activities and progress, activities undertaken in compliance with this route permit, and shall include text and photographs.

If the Permittee does not commence construction of the Transmission Facility within six months of this route permit issuance, the Permittee shall file with the Commission Pre-Construction Status Reports on the anticipated timing of construction every six months beginning with the issuance of this route permit until the pre-construction meeting.

### **9.4 In-Service Date**

At least three days before the Transmission Facility is to be placed into service, the Permittee shall notify the Commission of the date on which the Transmission Facility will be placed into service and the date on which construction was completed.

### **9.5 As-Builts**

Within 90 days after completion of construction, the Permittee shall submit to the Commission copies of all final as-built plans and specifications developed during the Transmission Facility construction.

### **9.6 GPS Data**

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (*e.g.*, ArcGIS compatible

map files, GPS coordinates, associated database of characteristics) for all structures associated with the Transmission Facility and each substation connected.

### **9.7 Right of Entry**

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- (a) To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.
- (b) To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- (c) To sample and monitor upon the facilities easement of the property.  
To examine and copy any documents pertaining to compliance with the conditions of this route permit.

## **10 ROUTE PERMIT AMENDMENT**

This route permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this route permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required under Minn. R. 7850.4900.

## **11 TRANSFER OF ROUTE PERMIT**

The Permittee may request at any time that the Commission transfer this route permit to another person or entity (transferee). In its request, the Permittee must provide the Commission with:

- (a) the name and description of the transferee;
- (b) the reasons for the transfer;
- (c) a description of the facilities affected; and
- (d) the proposed effective date of the transfer.

The transferee must provide the Commission with a certification that it has read, understands and is able to comply with the plans and procedures filed for the Transmission Facility and all conditions of this route permit. The Commission may authorize transfer of the route permit

after affording the Permittee, the transferee, and interested persons such process as is required under Minn. R. 7850.5000.

## **12 REVOCATION OR SUSPENSION OF ROUTE PERMIT**

The Commission may initiate action to revoke or suspend this route permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend this route permit.

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