

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

In the Matter of the Application of Great River Energy and Lake Region Electric Cooperative for a Route Permit for the Otto Tap 115 kV Transmission Line Project in Otter Tail County, Minnesota

**SUMMARY OF
PUBLIC TESTIMONY**

This matter came before Administrative Law Judge Joseph C. Meyer for two public hearings. The first public hearing was held at New York Mills City Hall in New York Mills, Minnesota, on February 2, 2026. The second public hearing was held virtually, via the WebEx platform, on February 3, 2026. The written public comment period closed on February 19, 2026. On February 25, 2026, Great River Energy (Applicant)¹ filed a written response to public comments.

Haley Waller Pitts, Fredrikson & Byron, P.A.; and Mark Strohfus, Project Manager, appeared on behalf of the Applicant. Craig Janezich and Suzanne Steinhauser appeared on behalf of Public Utilities Commission (Commission) staff (Commission Staff).

This proceeding addresses the Applicant's application for a Route Permit (Application) to build a new 2.9-mile, 115-kilovolt (kV) single-circuit high voltage transmission line in Otto and Pine Lake Townships and construct a new Otto Substation (replacing the existing Otto Substation) in Otter Tail County (Project)² pursuant to Minn. Stat. § 216I.07 (2024).³ On January 9, 2026, the Commission issued an Order requesting that an Administrative Law Judge conduct the public hearing for the Project and prepare a summary of Public Testimony.⁴

I. Live Proceedings

The Commission held a virtual scoping and information meeting on December 3, 2025, and an in-person scoping and information meeting in New York Mills, Minnesota, on December 4, 2025. At both scoping and information meetings, the Applicant provided

¹ While Great River Energy and Lake Region Electric Cooperative were co-applicants for this project. Great River Energy was the applicant who directly participated in the public hearing process. This Summary uses "Applicant" to refer to Great River Energy and "Applicants" to refer to both entities together.

² The Applicant also refers to the Project as the Otto Tap 115-kV Transmission Line Project.

³ Application Filing Letter at 1 (Nov. 3, 2025) (eDocket No. 202511-224627-01).

⁴ Order at 1 (Jan. 9, 2026) (eDocket No. 20261-226681-01). The Commission did not refer this matter to the Court for a full report on the Application.

an overview of the Project, and Commission Staff provided a procedural overview and information about their role in the permitting process. No members of the public offered oral comments or public testimony at either scoping and information meeting.⁵

No members of the public attended the public hearing in New York Mills, Minnesota, on February 2, 2026.⁶ Several members of the public attended the virtual public hearing on February 3, 2026. The Applicant provided an overview of the Project, and Commission Staff provided a procedural overview and information about their role in the permitting process. No members of the public offered oral comments or public testimony at the virtual public hearing.⁷

II. Written Comments

On December 17, 2025, Otter Tail County sent an email to the Commission asking for information about any wetlands impact of the Project once a permit has been issued by the United States Army Corps of Engineers.⁸

Two written public comments were filed on February 19, 2026, by the Department of Natural Resources (DNR) and the Vegetation Management Plan Working Group (VMPWG). DNR's comments addressed impact mitigation and DNR permitting. Specifically, DNR (1) recommended that the Applicant use avian flight diverters near Albert Lake and other nearby wetlands to minimize bird collisions with transmission lines; (2) advocated for addition of a special permit condition requiring the Applicant to avoid tree removal from June 1 through August 15 to minimize the impact to bats, including the federally endangered Northern Long-Eared Bat, during the maternity roosting season; (3) supported a draft permit condition requiring continued coordination with the VMPWG to refine the Project's Vegetation Management Plan (VMP) and recommended that the Applicants file the VMP along with documentation of the coordination efforts between the Applicants and the VMPWG and DNR as part of the VMP; and (4) supported the inclusion of facility lighting, dust control, and wildlife-friendly erosion control as standard permit conditions. DNR also noted that (1) a DNR Water Appropriation Permit is required for all users withdrawing more than 10,000 gallons of water per day or 1 million gallons per year, and that a DNR Public Waters Work Permit is required for all projects involving development activities between the ordinary high water level in public waters and public waters wetlands; and (2) a Utility License Application must be completed to obtain a license to cross designated public waters and state lands.⁹

The VMPWG's comments made several recommendations directed at the Applicants for their pre-construction VMP submittal.

⁵ Transcript of December 3, 2025 Scoping and Information Meeting (Dec. 17, 2025) (eDocket No. 202512-225980-01); Transcript of December 4, 2025 Scoping and Information Meeting (Dec. 17, 2025) (eDocket No. 202512-225980-02).

⁶ New York Mills 6:00 p.m. Tr. (Feb. 2, 2026).

⁷ WebEx 12:00 p.m. Tr. (Feb. 3, 2026).

⁸ Otter Tail County Public Comment (Dec. 17, 2025) (eDocket No. 202512-226032-01).

⁹ DNR Public Comments (Feb. 19, 2026) (eDocket No. 20262-228385-01).

The VMPWG recommended that the Applicants define Project “management sections” based on different vegetation communities present along the route.¹⁰ With respect to the site description and existing conditions, the VMPWG: (1) noted that the VMP must comply with applicable DNR requirements related to state-listed and endangered species and that the Applicants must keep records of compliance with those requirements; and (2) recommended that lands with tribal interest, lands with cultural or historic interest, and calcareous fens and rare natural communities be considered sensitive areas in the “environmental setting” section.¹¹

The VMPWG recommended that the Applicants identify and address any rare species or sensitive resources within the proposed route.¹²

With respect to vegetation clearing, the VMPWG recommended that: (1) Project clearing should be designed to avoid impacts to bats, nesting birds, and migratory birds; (2) the Applicants should clarify whether any mitigative strategies will take place to reduce the impacts of tree removal; and (3) the Applicants should clarify whether there will be herbicide application to stumps and, if so, identify the type and application of any such herbicides.¹³

The VMPWG further encouraged the Applicants to continuously align Project design in conformity with DNR’s wildlife-friendly erosion control standards, and clarify how erosion control and pollution prevention methods will be deployed in order to reduce the impact of vegetative clearing near wetland shorelines.¹⁴

With respect to herbicide application, the VMPWG recommend that herbicide be applied as a spot treatment and that, if broadcast spray applications are anticipated, the Applicants should include a plan in the VMP to prevent herbicide spray drift from entering existing native plant communities, sensitive areas, or landowner properties. The VMPWG further requested that the Applicants provide information regarding herbicide use, including herbicide type, surfactant rate, and frequency.¹⁵

As it relates to restoration and establishment, the VMPWG recommended that the Applicants include more information on temporary stabilization methods, follow DNR recommendations regarding wildlife friendly erosion control, and avoid plastic materials or chemical treatments. The VMPWG also recommended that the Applicants provide more detail about how areas will be identified for natural vegetation versus seed installation, and that the VMP should include a discussion of site preparation methods and a description of details about soil preparation prior to seeding.¹⁶

¹⁰ VPMWG Public Comments at 2 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹¹ VPMWG Public Comments at 2 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹² VPMWG Public Comments at 2 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹³ VPMWG Public Comments at 2-3 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹⁴ VPMWG Public Comments at 3 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹⁵ VPMWG Public Comments at 3 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹⁶ VPMWG Public Comments at 3 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

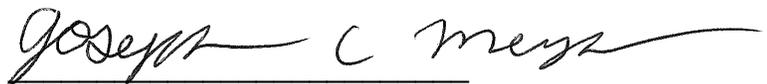
The VMPWG encouraged the intended use of diverse, native perennial seed mixes to the maximum extent possible, and recommended several considerations for selection of seed mixes. The VMPWG also requested that the Applicants provide a list of species substitutions for each seed mix.¹⁷

The VMPWG recommended that vegetation management methods be timed to avoid impacts to ground-nesting birds, bats, pollinators, and other wildlife, and should be tailored to the specific management section and appropriate land use type.¹⁸

To monitor the VMP, the VMPWG recommend the use of a third-party monitor with specific qualifications and experience, and that a protocol for annual monitoring reports be established within the VMP. The VMPWG also recommended that the Applicants continue to coordinate with state agencies as the VMP is finalized prior to construction.¹⁹

On February 25, 2026, the Applicant filed a response to public comments. The Applicant indicated that it would work with the VMPWG on the Project's VMP.²⁰ The Applicant also indicated general agreement with DNR's recommendations, except that it objected to a condition requiring it to avoid tree removal from June 1 through August 15, and instead proposed a special permit condition requiring the Applicants to coordinate with the U.S. Fish and Wildlife Service regarding the timing of tree clearing and other conservation measures to mitigate impacts to the Northern Long-Eared Bat.²¹ The Applicant also proposed a special permit condition to address concerns about state-listed species in the Project area. This condition would require the Applicants to resubmit a National Heritage Review prior to construction and to consult with DNR regarding implementation of avoidance measures for state-protected threatened and endangered species.²²

Dated: March 3, 2026



JOSEPH C. MEYER
Administrative Law Judge

NOTICE

This Report contains a summary of public testimony. It is not a final decision. The Commission will make the final determination following a review of the record.

¹⁷ VPMWG Public Comments at 4 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹⁸ VPMWG Public Comments at 4 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

¹⁹ VPMWG Public Comments at 4-5 (Feb. 19, 2026) (eDocket No. 20262-228389-01).

²⁰ Applicant Reply Comments at 1 (Feb. 25, 2026) (eDocket No. 20262-228633-01).

²¹ Applicant Reply Comments at 2 (Feb. 25, 2026) (eDocket No. 20262-228633-01).

²² Applicant Reply Comments at 2-3 (Feb. 25, 2026) (eDocket No. 20262-228633-01).

March 3, 2026

See Attached Service List

Re: *In the Matter of the Application of Great River Energy and Lake Region Electric Cooperative for a Route Permit for the Otto Tap 115 kV Transmission Line Project in Otter Tail County, Minnesota*

**CAH 28-2500-41458
MPUC ET2/C-25-269**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **SUMMARY OF PUBLIC TESTIMONY** in the above-entitled matter. The Court of Administrative Hearings' file in this matter is now closed.

If you have any questions, please contact me at (651) 361-7857, nichole.sletten@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



NICHOLE SLETTEN
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Great River Energy and Lake Region Electric Cooperative for a Route Permit for the Otto Tap 115 kV Transmission Line Project in Otter Tail County, Minnesota	CAH Docket No.: 28-2500-41458 MPUC Docket No. ET2/C-25-269
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On March 3, 2026, a true and correct copy of the **SUMMARY OF PUBLIC TESTIMONY** was served by eService, and United States mail, (in the manner indicated on the attached service list) to the following individuals:

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Sasha	Bergman	sasha.bergman@state.mn.us		Public Utilities Commission	121 7th PI E Ste 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
2	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
3	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
4	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	25-269 Official CC Service List
5	Craig	Janezich	craig.janezich@state.mn.us		Public Utilities Commission	121 7th PI E #350 St. Paul MN, 55101 United States	Electronic Service		No	25-269 Official CC Service List
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-269 Official CC Service List
7	Joseph	Meyer	joseph.c.meyer@state.mn.us		Office of Administrative Hearings	PO Box 64620 St. Paul MN, 55164 United States	Electronic Service		Yes	25-269 Official CC Service List
8	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	25-269 Official CC Service List
9	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	25-269 Official CC Service List
10	Suzanne	Steinhauer	suzanne.steinhauer@state.mn.us		Department of Commerce	121 7th Place East Suite 350 St. Paul MN, 55101 United States	Electronic Service		No	25-269 Official CC Service List
11	Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy		12300 Elm Creek Blvd Maple Grove MN, 55369 United States	Electronic Service		No	25-269 Official CC Service List
12	Haley	Waller Pitts	hwallerpitts@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-269 Official CC Service List