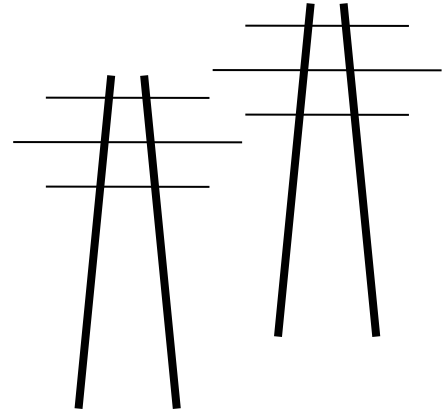


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June 4, 2026

Sasha Bergman
Executive Secretary
Public Utilities Commission
121 – 7th Place East, Suite 350
St. Paul, MN 55101

via eDockets only

RE: Cumulative Impacts and Phased and Connected Actions
PUC Docket CN-25-111 and RL-25-112

Dear Secretary Bergman:

Cumulative Impacts and Phased and Connected Actions have long been an important part of environmental review under the Minnesota Environmental Policy and Rights Act¹.

Today's Commission decision, if guided by Staff Briefing Papers and Applicant's position, could stray from environmental review precedent by failing to include due consideration of cumulative impacts and phased and connected actions of Applicants and others' projects in the area.

Staff review of comments in the Briefing Papers notes the high level of concern of commenters:

Over half of the commenters expressed concern over cumulative impacts of the interconnection of the project with the proposed Hermantown data center and questioned whether the need for the transmission line was tied to the data center.

Briefing Papers, Attachment A, p. 6 (emphasis added).

Applicants and Staff look to limit consideration of cumulative impacts and phased and connected actions to concerns of MPCA and the statute that grew from the Hiawatha Transmission Project, Minn. Stat. §116.05, for review of projects in an environmental justice context. This is not such a project, and this attempt to divert cumulative impacts analysis to the MPCA does not relieve the Commission of environmental review responsibilities and obligations for this transmission project.

Applicants and staff continue with further discounting and limitation:

¹ See also Minn. R. 4410.0200, Subps. 11, 11a, and 60.

In response to comments made in the dockets and at the public meetings, the applicants stated that the scope should follow and not exceed applicable rules, statutes, and previous Commission Orders.

Applicant, from Briefing Papers, p. 16. Do we need to cite the many Commission scoping orders inclusive of review of cumulative impacts and phased and connections? Please advise if we need to refresh memory.

Staff reviewed these comments and notes that analysis of phased and connected actions is not required under Minn. Stat. § 216I standard review.

Staff comments, p.20. The statute clearly does not detail what all should be included, nor is there any prohibition. The statute is a floor, not a ceiling (and a floor that is in dire need of structural support).

Several comments referenced specific topics for study in the ER, such as load impacts from large customers, cumulative cost of all projects in the area, and power flows. Staff do not recommend including these topics in the scope of the ER as the Commission has other processes that directly deal with these matters, such as the development and approval of very large customers tariffs, Electric Service Agreements, transmission cost recovery Riders and rate cases.

Staff comments, p. 20-21. The Commission may have other processes, but commenters do not. Compartmentalizing does not eliminate the impactful connections that this ISA environmental review should consider. Attempting to divert commenters into three other related dockets is not helpful – commenters are noting the connections in this docket. The MP ESA is indeed relevant, it's where most first learned of the connection of MP and the Hermantown data center, but it is a separate docket without ISA project related environmental review. Let's be realistic. Transmission cost recovery riders, rate cases, and the ESA do not have ISA project related environmental review, and more importantly, these dockets are not accessible to commenters in this docket. These commenters do not have the resources, experience, or time to effectively participate in these additional dockets, particularly where it's the ISA docket where the review is needed and issues are being raised by many. Then there's mandate of a broad spectrum of public participation in Minn. Stat. §216I.16.

The Commission is responsible for environmental review in compliance with the Minnesota Environmental Policy and Rights Acts, and **Cumulative Impacts and Phased and Connected Actions** must not be ignored when determining the scope of environmental review.

Very truly yours,



Carol A. Overland
Attorney for World Organization for Landowner Freedom