

The Commission met on **Thursday, January 7, 2025**, with Chair Sieben and Commissioners Ham, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

**IP-7109/PPL-23-109**

**In the Matter of the Application of Magellan Pipeline Co., L.P., for a Routing Permit for the Pipestone Reroute Project in Pipestone County, Minnesota**

Commissioner Tuma moved that the Commission:

1. Reconsider its order in this docket dated October 22, 2024.
2. Rescind its decision to grant a route permit for Route RA-01 and require the Applicant to select an appropriate consultant and complete, as practically can be achieved with voluntary access to property along the routes, at a minimum Phase I of the full cultural, archaeological and historical resources inventories (the Inventories) for each alternative route RA-01 and RA-03 in coordination with the following Tribal Nations and Tribal entities:
  - Brave Heart Society
  - Cheyenne River Sioux Tribe
  - Flandreau Santee Sioux Tribe
  - Lower Brule Sioux Tribe
  - Lower Sioux Indian Community
  - Mille Lacs Band of Ojibwe
  - Otoe-Missouria Tribe
  - Prairie Island Indian Community
  - Rosebud Sioux Tribe
  - Santee Sioux Nation
  - Shakopee Mdewakanton Sioux Community
  - Standing Rock Sioux Tribe
  - Upper Sioux Community
  - White Earth Band of Minnesota Chippewa Tribe
  - Yankton Sioux Tribe
3. Require the Applicant to coordinate with the Minnesota Indian Affairs Council (MIAC) to select a contractor(s) with the appropriate knowledge to perform the work associated with the Inventories.

4. Require the Applicant to prepare the Phase I Inventories for RA-01 and RA-03 including any additional workspaces, such as temporary workspace, laydown/pipe yards, access roads, and bore holes, to identify and avoid impacts to cultural, archaeological, and historic resources. All phases of the Inventories shall be developed in accordance with standards established by relevant THPOs, the Minnesota State Historic Preservation Office (MnSHPO), the Minnesota State Archaeologist (MnOSA), and the Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation. The Inventories shall include specific mitigation and avoidance procedures for each cultural, archaeological and historic resource identified. It is understood that the Applicant may not obtain permission to access all properties to complete Phase I according to the standards and the consultant shall clearly identify additional Phase I work that would need to be resolved after route selection and land access being obtained.
5. Require the Applicant, after completion of the Phase I Inventories, to send the results to the Tribal Nations and entities listed above and engage in additional coordination. Such coordination shall at a minimum consist of one in-person or online meeting with each Tribal representative to occur no later than 30 days after completion of the Inventories. The Applicant shall also confer with MnSHPO, the relevant THPO representatives, and MnOSA, and MIAC regarding the results of the Phase I surveys.
6. Require the Applicant to file a compliance filing providing the Phase I results of the portion of the Inventories, all comments from MnSHPO, MnOSA, and the Secretary of Interior, a summary of other feedback received, and a statement certifying that coordination with the Tribal Nations and entities has been completed or attempted in the Phase I portion of the inventories.
7. After receipt of the compliance filing, the Commission will schedule the matter for a final route permitting decision subject to the permit conditions at 9.1 requiring the Applicant come back to the Commission upon the completion of all phases of the full inventories. Further decisions on this docket shall continue at that time.
8. Require the Applicant to submit monthly reports outlining progress on the specified tasks, including the status of the Inventories, an estimated completion date, and collaboration efforts with MIAC, the designated Tribal Nations, MnSHPO, MnOSA, and THPO representatives.

The motion passed 4 – 0.

**E-015/CN-22-607**

**E-015/TL-22-611**

**In the Matter of the Application of Minnesota Power for a Certificate of Need and Route Permit for a High Voltage Transmission Line for the HVDC Modernization Project in Hermantown, Saint Louis County**

Commissioner Sullivan moved that the Commission deny the petition for reconsideration of the October 25, 2024, order.

The motion passed 4-0.

**E-017/M-24-186**

**In the Matter of Otter Tail Power Company's Petition for Approval of the Annual Update to its Electric Utility Infrastructure Rider, Rate Schedule 13.11**

Commissioner Sullivan moved that the Commission do the following:

1. Approved the electric utility infrastructure costs (EUIC) tracker for Otter Tail Power Company (Otter Tail or the Company) as filed in the initial petition for advanced metering infrastructure (AMI) and outage management system (OMS).
2. Required Otter Tail to report annually in EUIC petitions on demand response (DR) all metrics included in its August 23, 2024 reply comments or explain why reporting for a given metric was not possible.
3. Approved Otter Tail's proposed EUIC recovery rates as updated in the Company's August 23, 2024 reply comments to be effective the first month after the Commission's order is issued.
4. Approved Otter Tail's proposed DR system costs with a soft cost cap, as filed in the Company's January 7, 2025 trade secret filing, that reflects the Company's ability to use AMI meters for water heating load control customers and the use of 26,000 load control switches. In the event that Otter Tail can demonstrate that additional load control switches of 14,000 (for a total of 40,000 load control switches) are necessary, the Company may request additional recovery of DR project costs in a future EUIC rider filing. Otter Tail must not recover costs exceeding the approved soft cap unless it shows

in its next rate case by clear and convincing evidence that the additional costs were reasonable, prudent, and beyond Otter Tail's control.

The motion passed 4 – 0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: February 19, 2025**

A handwritten signature in black ink, appearing to read "Will Seuffert", with a long horizontal flourish extending to the right.

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Will Seuffert, Executive Secretary