

June 10, 2025

Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Re: In the Matter of the Application of Xcel Energy for a Certificate of Need and Route Permit for the Mankato – Mississippi River 345 kV Transmission Line Project in Southeast Minnesota
PUC Docket Number: E002/CN-22-532, E002/TL-23-157

Dear Consumer Affairs Staff,

On May 13th, 2025, the Minnesota Public Utilities Commission (Commission) and the Minnesota Department of Commerce (DOC) issued a Notice of Public Information Meetings, Public and Evidentiary Meetings, and Availability of Draft Environmental Impact Statement (DEIS) on Xcel Energy's (Applicant) Certificate of Need (CN) and Route Permit (RP) applications for the Mankato – Mississippi River 345kV Transmission Line Project (Project). The Minnesota Department of Transportation (MnDOT) has reviewed the DEIS on the proposed Project and submits the following comments and suggested edits in response to the Notice.

MnDOT appreciates the work of the DOC staff and the Applicant on the Project's DEIS, and for incorporating part of MnDOT's findings from the Applicant's Utility Early Notification Memo on Route Segment 17. MnDOT offers these suggested edits and additions to portions of the DEIS that apply to areas within our purview, focusing on Route Segment 17.

2.7.3 State of Minnesota Approvals

The Minnesota Department of Transportation (MnDOT) requires a two-step process for constructing transmission lines within a Minnesota truck highway ROW. The first step would be to complete an Early Notification Memo (ENM), which details the project's **anticipated effects on the trunk highway system**, so the agency is aware of environmental and other interests related to the project. The second step for receiving a permit from MnDOT includes developing a constructability report. The constructability report is required by Minnesota Statute § 161.45.6 and includes terms and conditions of building the collocated project. The report is required to be approved prior to issuing a permit to use **the trunk highway interstate and other state or US highways with controlled access** to construct the transmission line. ~~Following the approval of the constructability report, the commissioner would provide advance notice for the project to move forward, preferably a four-year advance notice.~~ **A completed, approved and signed constructability report would include language describing the minimum four-year advanced notice from the Commissioner of Transportation wherein the Applicant would be required to relocate any structures that conflict with a state transportation project.** The application would be required to comply with all permit conditions outlined in the route permit and comply with MnDOT permit conditions.

Additional permits that may be required by MnDOT include an access driveway and oversized/overweight permits. To access the construction corridor, temporary driveway access locations from state highways may be required. Form 1721 outlines the necessary information to include in the application. In some cases, **and as is the case with the entire Route Segment 17 Option along US 14**, access from the MnDOT roads may not be permissible where there is controlled access. During construction, oversized/overweight permits would be required. Oversized/overweight permits may be needed to transport mobile cranes, utility poles, construction equipment, and construction materials to the project location. Additional permits may be required for transporting overweight equipment and materials during seasonal road restrictions observed in the spring. Oversized/overweight permits are typically requested by vendors working on the project.

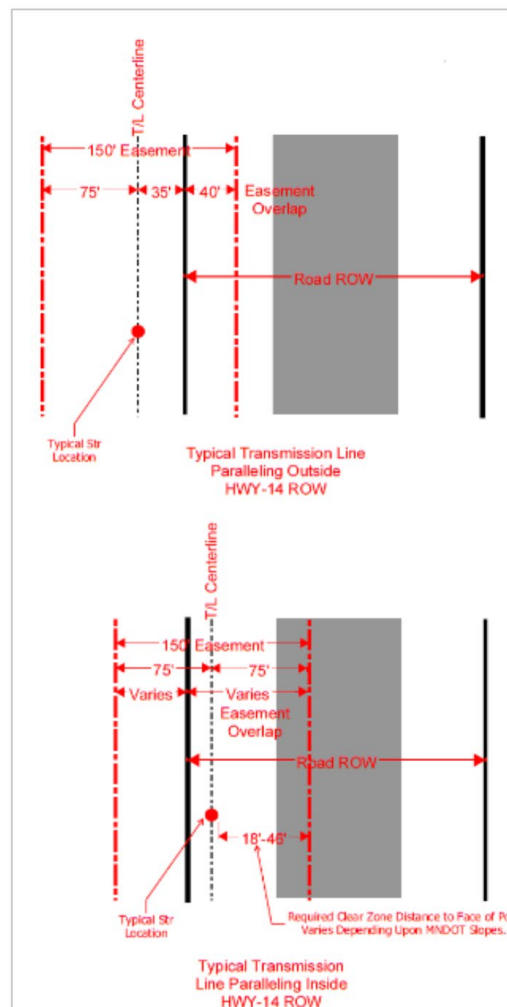
3.3.2.1 Route Segment 17 (Hwy 14 Option) Opportunity for MnDOT ROW Sharing

Route Segment 17 would parallel US Highway 14 for approximately 80 miles from Mankato to Bryon. The requested permanent ROW would be 150 feet and would parallel or overlap with the existing MnDOT highway ROW.

Permanent utility ROW or easements do not apply to areas within, overlapping, or otherwise encroaching MnDOT ROW. Because utility facilities are allowed to occupy trunk highway ROW via permit only, the Applicant would not have continued access to *any* trunk highway ROW and would be required to obtain additional permits from MnDOT for each instance of access for any reason. The US Highway 14 MnDOT ROW varies in width to accommodate controlled access to the highway. The anticipated alignment would be placed within and outside of the existing MnDOT ROW. If the anticipated alignment is within the MnDOT ROW, the utility pole would be placed outside of the clear zone. The clear zone is an unobstructed travel area beyond the through-traveled way that allows errant vehicles to recover. MnDOT provides guidance in their Facility Design Guide on recommended clear zone distances. Clear zone distances range from 18 feet to 46 feet along US Highway 14 and are dependent on the speed of travel, embankment slope, and radius of turn. Typical ROW configurations are provided in Figure 3-16 for transmission centerlines outside of the MnDOT ROW and within the MnDOT ROW.

Figure 3-16 Typical MnDOT ROW Configurations

Consider replacing “Easement Overlap” with “Area of Colocation”



6.5.10.5 Potential Impacts

Vehicles and equipment that would be used for construction of the transmission line (for example, overhead line cranes, concrete trucks, construction equipment, and material delivery trucks) are generally heavy load vehicles and can cause more damage to road surfaces. Oversized/overweight load permits must be obtained from MnDOT and county road authorities when size and/or weight limits would be exceeded. During operation, severe weather, including high winds, ice, snowstorms, and tornadoes, could result in structure damage. If structures and lines fall over or otherwise reach the ground, they would create safety hazards on any roadways located within the designed fall distance of an overhead transmission line parallel to existing roadways. Snow and ice accumulation and high winds could make the transmission line more susceptible to failure or collapse. **Any additional, significant, non-breakaway above ground infrastructure within road ROW increases the probability of errant vehicle collisions.** The applicant indicated that its design standards would meet or surpass NESC requirements for the safe design and operation of transmission lines. These standards include designing transmission lines to withstand severe winds from summer storms and the combination of ice and strong winds from winter weather.

6.5.10.6 Mitigation

The applicant committed to attempt to avoid or limit roadway closures to the maximum extent practicable and using conductor safety guides over roads or utilize helicopters for stringing activities where possible. The applicant also noted impacts to traffic would be mitigated by limiting construction traffic to the project right-of-way and existing access points to the maximum extent feasible and minimizing impacts related to dust by proper use of BMPs (e.g., soil matting, wetting) to reduce the potential for dust. The applicant also committed to utilizing appropriate safety measures such as use of safety signage, installation of temporary barrier structures, and employing spotters during clearing or stringing activities. **The Applicant is responsible for obtaining an approved Traffic Control Plan from MnDOT's affected District office(s) utilizing guidance and specifications from [Temporary Traffic Control Zone Layouts Field Manual 2018](#).** Finally, the applicant would meet with MnDOT, county highway departments, township road supervisors, and/or city road personnel to address any issues that occur during roadway construction.

MnDOT has a responsibility to ensure that possible impacts to the entire state trunk highway system, safety of the traveling public and MnDOT maintenance personnel, and environmentally significant areas of concern are adequately addressed. Accommodating utility facilities within trunk highway ROW can be in the public's interest when such use and occupancy of the ROW does not interfere with the free and safe flow of traffic, does not impair the highway or its protected visual quality, does not conflict with any provision of federal, state, or local law, rule, or regulation, and does not unreasonably increase the difficulty or future cost of highway construction or maintenance. Although MnDOT strives to accommodate utility facilities whenever possible, the permitted use and occupancy of highway ROW for non-highway purposes is subordinate to the primary interest and safety of the traveling public.

Thank you for the opportunity to provide these comments.

Sincerely,

/s/ *Stacy Kotch Egstad*

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ec: MnDOT Utility ENM Review Staff
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