

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben
Valerie Means
Matthew Schuerger
Joseph K. Sullivan
John A. Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Great River Energy for a Route Permit to Rebuild the Existing 69kV ST-WW Transmission Line to 115kV in Stearns County, Minnesota

ISSUE DATE: November 21, 2022

DOCKET NO. ET-2/TL-22-235

ORDER FINDING APPLICATION COMPLETE AND REFERRING THE MATTER FOR SUMMARY PROCEEDINGS

PROCEDURAL HISTORY

On August 25, 2022, Great River Energy (GRE) filed a route permit application to rebuild 3.2 miles of an existing 6.9-kilovolt (kV) transmission line in Stearns County. The line would be reconstructed as a 115-kV transmission line.

On September 20, 2022, the Commission received comments on the application from the Energy, Environmental Review, and Analysis staff of the Department of Commerce (the EERA), the Department of Natural Resources, the Department of Transportation, and the City of St. Cloud.

On September 27, 2022, GRE filed reply comments.

On October 4, 2022, the EERA filed supplemental comments.

On October 27, the application came before the Commission.

FINDINGS AND CONCLUSIONS

I. The Proposed Project

GRE proposed to rebuild an existing 69-kV transmission line in Stearns County that would operate as a 115-kV transmission line.

The Project would include:

- Removing approximately 3.2 miles of an existing 69-kilovolt transmission line and structures between the West St. Cloud, Westwood, and Le Sauk substations and replacing those facilities with a new overhead 115-kilovolt transmission line and structures.

- Extending the transmission line approximately 170 feet northwest near the Le Sauk Substation to tap into a new switch to be added on GRE's existing 115-kilovolt transmission line and add a new switch near the existing Westwood Substation.
- Expanding the existing West St. Cloud Substation by approximately 6,500 square feet to accommodate facility upgrades and additions.

According to GRE, Stearns Electric Association and Xcel Energy plan to remove their existing distribution lines from the 69-kV structures and bury them underground.

GRE holds easements for the existing 69-kV line and will evaluate the need for additional land rights after final design is completed. At this time, GRE anticipates the need for easements which allow for a right-of-way width of 70 feet (typically 35 feet on each side of the transmission centerline).

GRE stated that the cost of the Project is approximately \$6.4 million.

II. Application Completeness

GRE filed its application under Minn. Stat. § 216E.04, the alternative permitting process, which governs the permitting process for high voltage transmission lines between 100 and 200 kV. Minn. R. 7850.3100 requires that an application filed under the alternative permitting process include the same content as required under Minn. R. 7850.1900, except that the applicant is not required to propose alternative sites or routes.

GRE's application included the information required by the rule, and the Commission will therefore accept the application as complete and authorize review under the alternative permitting process governed by Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900.

The EERA recommended that, in addition to the level of detail contained in the application, GRE be required to file the following information and take the following steps:

- File the location of preliminary pole placements within the right-of-way and visual simulations of the Project.
- File an explanation of land rights and easements and any potential conflicts with other planned infrastructure projects, specifically those identified by the City of St. Cloud.
- Coordinate with the Department of Transportation on potential impacts of the Project on proposed transportation projects and road rights-of-way.
- Coordinate with the Department of Natural Resources on potential impacts of the Project on natural resources and timing of submission of the DNR Natural Heritage Information System review.
- Coordinate with the City of St. Cloud regarding pole placement, substation expansion, and right-of-way concerns.

- File additional discussion of the existing pipeline in the area, potential impacts, avoidance, and mitigation.
- File updated language in the applicant’s completeness checklist for accuracy, consistent with Minn. R. 7850.1900, subp. 3.
- File information on climate adaptation and resiliency for the proposed Project.
- File additional information as needed to prepare the EA, such as describing dead end structures, including the height range for the vegetation removal clear zone, and referencing which equations were used to calculate greenhouse gas emissions.

In response, GRE explained that it had already filed some of the information requested by the EERA and that its coordination with other state agencies is ongoing (GRE also stated that EERA’s request for an updated completeness checklist is no longer applicable). GRE agreed, however, that filing additional information is reasonable but clarified that, in lieu of the information requested by EERA on pole placements shown above, it would be more useful to identify the range of number of poles for each structure type under consideration, including dead-end structures. GRE also agreed to include graphic representations comparing the existing structures to the proposed structures, as well as a narrative detailing the procedures and considerations the applicant uses when working with landowners on structure locations.

The Commission concurs that it is reasonable to file additional information and will therefore require GRE to make a supplemental filing containing the information discussed above and as set forth in the ordering paragraphs below.

III. Record Development

To facilitate record development of the application, the Commission will request that an administrative law judge from the Office of Administrative Hearings preside over a public hearing under the Commission’s summary proceeding process in accordance with Minn. R. 7850.3800, and as the administrative law judge determines appropriate, Minn. R. 1405; and direct that intervention as a party is not required.

The Commission will also request that the administrative law judge (1) establish the types of filings necessary to facilitate proper record development (*e.g.*, pre-filed direct testimony, briefs, reply briefs, proposed findings and permit recommendations) and a schedule for those filings through a prehearing conference in accordance with Minn. R. 1405.1100, as appropriate; and (2) prepare a report setting forth findings of fact, conclusions of law, and recommendations on the merits of the application and provide recommendations, if any, on the conditions and provisions that should be included in a permit.

ORDER

1. The Commission accepts the application as complete and authorizes review under the alternative permitting process under Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900.

2. GRE must file additional information identified by the EERA in its September 9, 2022, initial comments. The filing must include, in lieu of preliminary pole placement and a visual simulation, the range of number of poles for each structure type under consideration, including dead end structures. GRE must also include in the filing graphic representations comparing existing structures to proposed structures. The filing must be made at least ten days prior to the scoping meeting.
3. The Commission requests that an administrative law judge from the Office of Administrative Hearings preside over a public hearing under the Commission's summary proceeding process in accordance with Minn. R. 7850.3800, and as the administrative law judge determines appropriate, Minn. R. 1405; the Commission also requests that the administrative law judge direct that intervention as a party is not required.
4. The Commission requests that the administrative law judge (1) establish the types of filings necessary to facilitate proper record development (*e.g.*, pre-filed direct testimony, briefs, reply briefs, proposed findings and permit recommendations) and a schedule for submitting those filings through a prehearing conference in accordance with Minn. R. 1405.1100, as determined appropriate; and (2) prepare a report setting forth findings of fact, conclusions of law, and recommendations on the merits of the application and provide recommendations, if any, on the conditions and provisions that should be included in a permit.
5. This order shall become effective immediately.

BY ORDER OF THE COMMISSION



Will Seuffert
Executive Secretary



This document can be made available in alternative formats (*e.g.*, large print or audio) by calling 651.296.0406 (voice). Persons with hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

CERTIFICATE OF SERVICE

I, Chrishna Beard, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

**Minnesota Public Utilities Commission
ORDER FINDING APPLICATION COMPLETE AND REFERRING THE
MATTER FOR SUMMARY PROCEEDINGS**

Docket Number **ET-2/TL-22-235**

Dated this 21st day of November, 2022

/s/ Chrishna Beard

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_22-235_TL-22-235
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_22-235_TL-22-235
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_22-235_TL-22-235
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_22-235_TL-22-235
Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy	12300 Elm Creek Boulevard Maple Grove, MN 553694718	Electronic Service	No	OFF_SL_22-235_TL-22-235