

# **In the Matter of the Route Permit Application for the Minnesota Energy Connection Project in Sherburne, Stearns, Kandiyohi, Wright, Meeker, Chippewa, Yellow Medicine, Renville, Redwood and Lyon Counties in Minnesota. PUC Docket No. 22-132**

## **Commissioner Tuma Decision Option**

### Decision Option Tuma 1:

- A. Within 14 days of the Order the Permittee shall file into the record a detailed plan on how it will meet its statutory obligation to provide relocation assistance, services, payments and benefits under Minn. Stat. section 117.187 (Minimum Compensation) and Minn. Stat. section 117.52 (Relocation Assistance) for those landowners who provide notice of their option to exercise rights under Minn. Stat. section [216E.12/216I.21, subd. 4] (Buy the Farm).

This plan shall include an accurate fact sheet to be provided to landowners describing:

1. That the Permittee will attempt to negotiate a voluntary easement acquisition and attempt to minimize impacts to properties;
  2. That if the landowner is not satisfied with the resulting impacts, the landowner has the option under Minn. Stat. section [216E.12/216I.21, subd. 4] to require the utility to purchase contiguous, commercially viable land that the landowner owns;
  3. The timing for exercising those rights;
  4. The relocation benefits to which a landowner is entitled to under Minnesota Law, including but not limited to, advisory services; and
  5. The specific process for contacting the Permittee to receive assistance.
- B. Amend permit paragraph 5.1 regarding the route permit distribution to landowners to require the Permittee to also provide to landowners:
1. An accurate fact sheet describing:
    - a. That the Permittee will attempt to negotiate a voluntary easement acquisition and attempt to minimize impacts to properties;
    - b. That if the landowner is not satisfied with the resulting impacts, the landowner has the option under Minn. Stat. section [216E.12/216I.21, subd. 4] to require the utility to purchase contiguous, commercially viable land that the landowner owns;
    - c. The timing for exercising those rights,
    - d. The relocation benefits to which a landowner is entitled to under Minnesota Law, including but not limited to advisory services, and
    - e. The specific process for contacting the Permittee to receive assistance.

2. The anticipated date (or date range, if done in segments) that the landowner would receive the Notice of the Objects of the Petition as required by the eminent domain law if negotiations to acquire the property voluntarily are not successful;
  3. Contact information for:
    - a. the specific land agents of the Permittee who will be working with the specific landowners receiving the notice who will provide assistance to minimize impacts on properties where Minn. Stat. section [216E.12/216I.21, subd. 4] was not exercised; and
    - b. the specific land agents who will provide the statutory assistance required under Minn. Stat. sections [216E.12/216I.21, subd. 4] and 117.52, if a landowner exercises this right.
- C. Amend permit Section 9.2 to require that the plan and profile may not be filed for consideration until 90 days after the Notice of the Objects of the Petition has been served on the landowners in the route segment covered by the specific plan and profile. The plan and profile shall include a description of the properties where landowners have exercised rights under Minn. Stat. section [216E.12/216I.21, subd. 4] and what modifications, if any, to the plan and profile resulted from the exercising of these rights.
- D. Within 60 days of the completion of all eminent domain proceedings the Permittee shall make a compliance filing:
1. detailing the number of landowners who exercised their rights under Minn. Stat. section [216E.12/216I.21, subd. 4] and
  2. providing a detailed description of the effectiveness of landowner interactions for those who exercised these rights, and specifically discuss any lessons learned on providing assistance for relocation.

Permittee shall mail the compliance filing to all landowners who exercised their right under Minn. Stat. section [216E.12/216I.21, subd. 4] for this Project along with clear instructions on how to enter comments into the record in response to the compliance filing.