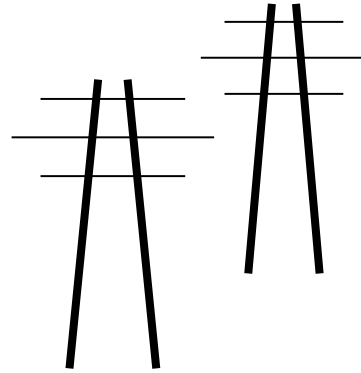


# Legalelectric, Inc.

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April 25, 2026

Sasha Bergman  
Executive Secretary  
Public Utilities Commission  
121 – 7<sup>th</sup> Place East  
St. Paul, MN 55101

via eFiling only

RE: **WOLF Scoping Comment & Request for Leave to File Late Comment**  
Iron Range – Arrowhead Transmission Line  
PUC Docket E015/CN-25-111 **AND** E015/TL-25-112

Dear Ms. Bergman:

On behalf of World Organization for Landowner Freedom, I request leave to file this late comment. Between the meetings for this docket and the Commission's meeting for Maple River Cuyuna docket, and in the midst of the PowerOn Midwest roadshow cross southern Minnesota when I realized the Scoping Comment in this docket was due – I missed the deadline!

WOLF has a few scoping comments for environmental review, most of which have been raised in other Tranche 2.1 dockets along the way. WOLF also requests that the Commission give due consideration to the many people who have commented thus far, in person and in writing.

## **Procedural impact of repeal of Minn. R. ch 7850 on integrity of routing and environmental review**

This is a combined docket of CN-25-111 and TL-25-112. The 2024 legislature repealed, effective July 1, 2025, all the rules of Minn. R. ch. 7850 but three: Minn. R. 7850.4000 Standards and Criteria, 7850.4300 Prohibited Routes, and 7850.4300 Prohibited Sites, none of which have much substance. This is a joint Certificate of Need and Routing proceeding. The Commission has not opened a Ch. 7850 rulemaking docket on its own. This writer filed a Rulemaking Petition, as an individual and not in the court of representation of any party, the Commission opened a docket and noticed a comment period, with Initial Comments due April 30 and Reply Comments due May 7, 2026.

How will the Commission responsibly, legally, route transmission without rules? It's not as though the Commission was not aware of, or expecting, these legislative changes – after all, it was the Commission's 2024 legislative agenda, intentionally developed to move projects through permitting faster, and easier, for the applicants.

An example of the bizarreness of this situation was the Staff Recommendation and Amended Permit in Docket TL-22-142, where the Staff Recommendation and the Amended Permit both Referenced and based recommendation on Minn. R. ch. 7850 rules that had been repealed.

The MISO Tranche 2.1 transmission dockets currently before the Commission should be on hold until there are routing rules.

### **The “informal process” is inappropriate for a contested 345kV transmission project**

What is the “informal process?” Please publish the specific procedure and schedule the Commission intends for this “informal process.”

Process? What process. Well, there is [7849.2000](#) ALTERNATIVE FORM OF REVIEW, beginning with [7849.1000](#), APPLICABILITY AND SCOPE. However, there's a reminder that “[a]dditional review at the permitting stage is required under parts [7850.1000](#) to [7850.5600](#),” rules which no longer exist, and it appears that this “Alternative form of review” applies to environmental review, not the “need” review.

There is also the informal process provided by Minn. R. 7829.1200:

#### **7829.1200 INFORMAL OR EXPEDITED PROCEEDING.**

Subpart 1. **When appropriate.** Informal or expedited proceedings may be used when contested case proceedings are not required, for example, when:

- A. there are no material facts in dispute;
- B. the parties and the commission have agreed to informal or expedited proceedings; or
- C. informal or expedited proceedings are authorized or required by statute.

Subp. 2. **Presentation of facts.** Written submissions are the preferred method of introducing facts. The commission shall allow oral presentation of facts when that can be done without compromising the rights of any person or the integrity of the proceeding. In informal proceedings, the commission shall require that factual allegations be made under oath or by affirmation when facts appear to be in dispute. In expedited proceedings, the commission shall require that factual allegations be made under oath or by affirmation and that documents filed in the proceeding be verified.

A Certificate of Need proceeding is to review an application, and “informal review” is inappropriate because:

- A. A Certificate of Need has inherent facts in dispute, the most important, “is this transmission line needed.” In a Certificate of Need proceeding the applicants have the burden of proof to demonstrate that the transmission line is needed, demonstrated in many ways. See 7849.0120 CRITERIA.
- B. The parties and commission have NOT agreed to informal proceedings. And there are NO parties to agree!

C. Informal proceedings are NOT authorized or required by statute.

Use of the “informal process” was approved on the Consent Agenda on January 23, 2026, at which time there were many people weighing in about their concerns. How many people must jump in before it’s determined that this is a transmission line with heightened interest and concern. Since the determination in a consent agenda decision, through meetings and written comments filed in the docket, it’s apparent there is significant interest, demonstrating that this proceeding inappropriate for “informal process.” The review of this project needs to transfer to the normal process, not this foreshortened process.

So again, what is the “informal process?” Please publish the specific procedure and schedule the Commission intends for this “informal process.”

### **Phased and connected actions**

The environmental review for this, and all Tranche 2.1 projects, must include phased and connected actions. That requirement is in the EQB rules which still exist! The web of transmission lines in Tranche 2.1 are interconnected electrically and economically. The various impacts of all of this transmission must be evaluated.

### **Elimination of the 800MVA limitation at the Arrowhead substation is a system alternative**

It appears that this request will be vetted. The environmental review should address impacts of removing this limitation. That review should address how many megawatts of coal or other fossil generation have been shuttered from North Dakota eastward to the Arrowhead substation, and address how many megawatts of transmission capacity have been or will be available due to those closures.

### **Compliance with statute and coordination with DOT - Minn. Stat. §216I.05, Subd 11(e) and Minn. Stat. §161.45.**

Environmental review in this docket must address impacts and avoidance of impacts if the route would utilize highway corridors. This is both a system alternative, in the case of underground DC as used for the SOO Green project in Iowa, and routing, as the route would be altered.

In prior dockets, routing over highways and a conflict with the DOT’s Policy of Accommodation was a primary sticking point, particularly in routing of the CapX 2020 Hampton to La Crosse line through Cannon Falls. DOT comments specifically stated the the proposed route was not acceptable, and the applicants proceeded, and the state did not address this conflict. It wasn’t until just before the final public hearing that applicants proposed a route avoiding the cloverleaf, and landowners had only one or two days notice! And that was the route chosen by the PUC.

The 2024 legislative changes have raised much uncertainty, and could affect permitting and constructability of system alternatives, such as the possibility of undergrounding a DC line along a highway. The permitting in Iowa of the SOO Green underground DC line utilizing railroad right of way is a real time example of what can be done.

For example, the Commission's April 21, 2026 Order<sup>1</sup> in the Tranche 2.1 PowerOn Midwest docket, CN-25-117, further specifies analysis of use of highway rights of way, and it's likely each of the Tranche 2.1 projects, other than 2<sup>nd</sup> circuit projects on existing structures, would have similar Order Points and requirements:

The Applicants shall provide a detailed description of how they propose to analyze paralleling highway rights of way in accordance with Minn. Stat. § 216I.05, subd. 11(e). The Applicants will also describe their coordination with MNDOT in accordance with Minn. Stat. § 161.45, the Next Gen Highway Act.

In the discussion in that agenda meeting, two Commissioners clearly stated their interest in using the highway rights of way.

The law now requires:

Subd. 4. **High voltage transmission; placement in right-of-way.** (a) For purposes of this subdivision and subdivisions 5 to 7, "high voltage transmission line" has the meaning given in section 216I.02, subdivision 8.

(b) Notwithstanding subdivision 1, paragraph (a), high voltage transmission lines under the laws of this state or the ordinance of any city or county may be constructed, placed, or maintained across or along any trunk highway, including an interstate highway and a trunk highway that is an expressway or a freeway, except as deemed necessary by the commissioner of transportation to protect public safety or ensure the proper function of the trunk highway system.

(c) If the commissioner denies a high voltage electric line colocation request, the reasons for the denial must be submitted for review within 90 days of the commissioner's denial to the chairs and ranking minority members of the legislative committees with jurisdiction over energy and transportation, the Public Utilities Commission executive secretary, and the commissioner of commerce.

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Subd. 5. **High voltage transmission; coordination required.** Upon written request, the commissioner must engage in coordination activities with a utility or transmission line developer to review requested highway corridors for potential permitted locations for transmission lines. The commissioner must assign a project coordinator within 30 days of receiving the written request. The commissioner must share all known plans with affected utilities or transmission line developers on potential future projects in the highway corridor if the potential highway project impacts the placement or siting of high voltage transmission lines.

Subd. 6. **High voltage transmission; constructability report; advance notice.** (a) If the commissioner and a utility or transmission line developer identify a permissible route along a trunk highway corridor for possible colocation of transmission lines, a constructability report must be prepared by the utility or transmission line developer in consultation with the commissioner. A constructability report developed under this subdivision must be used by both parties to plan and approve colocation projects.

(b) A constructability report developed under this section between the commissioner and the parties seeking colocation must include terms and conditions for building the colocation project. Notwithstanding the requirements in subdivision 1, the report must be approved by the commissioner and the party or parties seeking colocation prior to the commissioner approving and issuing a permit for use of the trunk highway right-of-way.

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(c) A constructability report must include an agreed upon time frame for which there may not be a request from the commissioner for relocation of the transmission line. If the commissioner determines that relocation of a transmission line in the trunk highway right-of-way is necessary, the commissioner, as much as practicable, must give a four-year advance notice.

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<sup>1</sup> Online in eDockets: [20264-230753-01](#).

(d) Notwithstanding the requirements of subdivision 7 and section 161.46, subdivision 2, if the commissioner requires the relocation of a transmission line in the interstate highway right-of-way earlier than the agreed upon time frame in paragraph (c) in the constructability report or provides less than a four-year notice of relocation in the agreed upon constructability report, the commissioner is responsible for 75 percent of the relocation costs.

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Minn. Stat. §161.45, Subd. 4 (2024). How will this coordination and placement happen?

Environmental review for this project must address the system alternative of undergrounding along highways and routing in highway rights of way and coordinate with the DOT.

**Data Center and Energy from this Transmission Line**

In search of information relevant to the 800MVA substation limitation, I've asked for powerflows showing where the power comes from that goes into this line at the Iron Range substation, and where it goes from St. Louis County and Arrowhead substations. That's really the only way to know the source and sink of the line. Now that MP's ESA<sup>2</sup> is public (with redactions), the concern about development of this transmission line for the Hermantown data center is legitimate. Power flows must be considered in the environmental review because they would demonstrate the pathway of this "agnostic" electricity and affect consideration of this system alternative.

I request that you consider this admittedly late-filed comment. More importantly, this process should acknowledge the many landowners, ratepayers, and very concerned citizens raising material issues of contested fact and boot this project's review into a contested case, typical for these large and contested 345 kV transmission projects.

Very truly yours,



Carol A. Overland  
Attorney at Law

cc: Linda Hanson, World Organization for Landowner Freedom

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<sup>2</sup> See Minnesota Power's Hermantown/Google ESA, PUC Docket M-26-159.