

February 18, 2026

VIA eFILING

Ms. Sasha Bergman
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Re: In the Matter of Application of Great River Energy and Lake Region Electric Cooperative for a Route Permit for the Otto Tap 115-kV Transmission Line Project in Otter Tail County, Minnesota

MPUC Docket No. ET2/TL-25-269

Dear Ms. Bergman:

Great River Energy respectfully submits these comments in response to the Minnesota Public Utilities Commission's (Commission) January 16, 2026, Notice of Comment Period on the Applicants' Application for a Route Permit for the Otto Tap 115-kV Transmission Line Project in Otter Tail County, Minnesota (Project). In these comments, Great River Energy responds to the Commission's Energy Infrastructure Permitting (EIP) Staff's draft route permit, filed on January 7, 2026.¹ Great River Energy will respond, as applicable, to other comments filed during the initial comment period during the forthcoming reply comment period.

These comments have been e-filed today through www.edockets.state.mn.us. A copy of this filing is also being served upon the persons on the Official Service List of record and the general service list, as applicable. Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/ Haley L. Waller Pitts

Haley L. Waller Pitts
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¹ EIP Staff Recommendations on Draft Route Permit and Need for Environmental Assessment Addendum (Jan. 7, 2026) (eDocket No. [20261-226587-01](https://www.edockets.state.mn.us)).

STATE OF MINNESOTA
BEFORE THE
PUBLIC UTILITIES COMMISSION

Katie Sieben
Joseph K. Sullivan
Audrey Partridge
Hwikwon Ham
John Tuma

Chair
Vice-Chair
Commissioner
Commissioner
Commissioner

**In the Matter of Application of Great River
Energy and Lake Region Electric
Cooperative for a Route Permit for the Otto
Tap 115-kV Transmission Line Project in
Otter Tail County, Minnesota**

MPUC Docket No. ET2/TL-25-269

**GREAT RIVER ENERGY'S COMMENTS
ON DRAFT ROUTE PERMIT**

I. Introduction

On January 7, 2026, Minnesota Public Utilities Commission (Commission) Energy Infrastructure Permitting (EIP) Staff filed its Recommendations on Draft Route Permit and Need for Environmental Assessment Addendum related to the proposed Otto Tap Project (Project).¹ In that filing, EIP Staff found that an addendum to the environmental assessment (EA) was not necessary, and included a draft route permit. Great River Energy agrees with EIP Staff's determination that an EA addendum is not necessary and provides comments on the draft route permit below. Specifically, Great River Energy offers comments and proposes revisions to Sections 2.2 and 3, and to Conditions 5.1, 5.3.9, 5.3.16, 6.1, 6.3, 9.2, and 9.3.

II. Comments on Draft Route Permit

A. Section 2.2 – Conductors

¹ EIP Staff Recommendations on Draft Route Permit and Need for Environmental Assessment Addendum (Jan. 7, 2026) (eDocket No. [20261-226587-01](#)).

Great River Energy proposes the following revision for clarity to Section 2.2, which provides:

Conductor types may include single-circuit structures with three-phase wires and one shielded wire. The phase wires will be 477 thousand circular millimeters of aluminum-conductor steel reinforced (477 ACSR) or a conductor with similar capacity. The shield wire will be 0.555 optical ground wire.

B. Section 3 – Designated Route

Great River Energy proposes the following revision for clarity to Section 3, which provides in part:

The route begins at Great River Energy’s existing LR-PR line on the east side of U.S. Highway 10 near structure LR-PR-72. The route travels southwest across U.S. Highway 10 and then follows 410th Street westerly for approximately nine-tenths of a mile, where it will cross 470th Avenue. The Proposed [Alignment Route](#) then turns south and follows 470th Avenue for approximately 2 miles before crossing 390th Street where the route terminates at the Otto Substation.

C. Section 5.1 – Route Permit Distribution

Section 5.1 of the draft route permit requires:

Within 30 days of issuance of this route permit, the Permittees shall provide all affected landowners with a copy of this route permit and the complaint procedures. An affected landowner is any landowner or designee that is within or adjacent to the Designated Route. In no case shall a landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. The Permittees shall also provide a copy of this route permit and the complaint procedures to the applicable regional development commissions, county environmental offices, and city and township clerks. The Permittees shall file with the Commission an affidavit of its route permit and complaint procedures distribution within 30 days of [issuance distribution](#) of this route permit.

Great River Energy's proposed revision clarifies that the Applicants file an affidavit of route permit distribution within 30 days following *distribution* of the route permit; not within 30 days of route permit issuance. This revision will ensure that the Applicants distribute the route permit within 30 days and then have adequate time to prepare their compliance filing following route permit distribution.

D. Section 5.3.9 – Wetlands and Water Resources

Section 5.3.9 of the draft route permit provides, in part:

The Permittees shall contain soil excavated from the wetlands and riparian areas and not place it back into the wetland or riparian area. The Permittees shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. The Permittees shall not place staging or stringing set up areas within or adjacent to wetlands or water resources, as practicable. The Permittees shall assemble structures on upland areas before they are brought to the site for installation, [where practicable](#).

Great River Energy requests inclusion of language above to provide flexibility to assemble structures on site, if needed and if such assembly would be less impactful. There is a possibility that it could be more impactful to assemble structures upland, which could require the use of larger, heavier equipment in wetland areas to move the assembled steel structures, resulting in increased compaction in the upland areas. Although wetland impacts on this Project are anticipated to be minimal, Applicants request this modification to route permits, more generally, to allow permittees the flexibility to appropriately minimize potential impacts.

E. Section 5.3.16 – Avian Protection

Applicants request that the language in this section referring to “standards to eliminate” be updated to instead refer to “standards to [reduce](#). . .” to reflect that these measures are intended to reduce incidents, but may not be able to entirely eliminate such incidents.²

F. Section 6.1 – County Wetland Permit Notification

Condition 6.1 requires:

The Permittees shall notify Otter Tail County when they obtain wetland permits, [if applicable](#), from the United States Army Corps of Engineers.

The proposed revision clarifies that Condition 6.1 is only applicable if the Applicants need to obtain wetland permits from the United States Army Corps of Engineers. Based on current Project engineering and routing, the Applicants do not anticipate such permits will be required or necessary for the Project.

G. Section 6.3 – Tree Replacement Plan

Condition 6.3 provides:

The Permittee shall, in coordination with the Minnesota Department of Natural Resources and Otter Tail County, develop a tree replacement plan to replace any trees that are removed for the construction of the Project and file the plan with the Commission at least 14 days before the pre-construction meeting. Replacement trees may be planted on public [or private](#) lands with the permission of the public entity/owner.

Great River Energy understands that the Commission has indicated that a tree replacement plan may become a standard permit condition for transmission line route permits. Great River Energy supports the Commission’s intention to protect and restore the natural environment, and the proposed route for this Project demonstrates that commitment. Specifically, the Project is

² See *In the Matter of the Application of Great River Energy and Otter Tail Power Company for a Route Permit for the Frazee to Erie 115 kV Transmission Line Project in Becker and Otter Tail Counties*, Docket No. TL-20-423, Route Permit § 5.3.15 (Dec. 17, 2021).

routed along existing distribution line right-of-way, and approximately 2.8 acres of tree removal is anticipated in the Project right-of-way.³ Accordingly, the record does not support a conclusion that the tree removal that will be required for this Project is unreasonable or would result in significant impacts. Great River Energy respectfully requests that the Commission continue to consider the fact-specific circumstances of each project when determining whether to require a tree replacement plan and, if so, the scope of such a requirement.

H. Section 9.2 – Plan and Profile

Condition 9.2 provides, in part:

If the Commission notifies the Permittees in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this route permit, the Permittees may submit additional and/or revised documentation and may not commence construction until the Commission has notified the Permittees in writing that it has determined that the planned construction is consistent with this route permit. The Commission shall respond regarding the sufficiency of the Permittees' additional and/or revised documentation within 15 days following receipt of the additional and/or revised documentation.

Great River Energy requests the proposed revision to provide some certainty with respect to compliance review.

I. Section 9.3 – Status Reports

Condition 9.3 provides, in part:

If the Permittees do not commence construction of the Transmission Facility ~~within six months of this route permit issuance~~ by February 15, 2028, the Permittees shall file with the Commission Pre-Construction Status Reports on the anticipated timing of construction every six months beginning with the issuance of this

³ Application at p. 98.

route permit until the pre-construction meeting. The Status Reports shall include information on the Project's Midcontinent Independent System Operator (MISO) interconnection process, if applicable.

The Applicants now anticipate starting construction of the Project in February 2028 and request that Section 9.3 of reflect that timing.

J. New Condition – Vegetation Clearing

Great River Energy requests the inclusion of a special permit condition titled “Vegetation Clearing.” The condition describes the circumstances under which the Permittees would be authorized to commence vegetation clearing before the filing of a plan and profile:

If the Permittee will clear vegetation for any portion of the Transmission Facility prior to completion of the design necessary to provide a plan and profile contemplated under Section 9.2, the Permittee shall file with the Commission at least 14 days prior to such vegetation clearing activities:

- If applicable, any vegetation management plan that is applicable to any portion of the Transmission Facility being proposed for vegetation clearing;
- A map showing the area proposed for vegetation removal and its location within the Designated Route and compared to the right-of-way identified in this route permit;
- A statement of confirmation that the Permittee has obtained, or will obtain before commencing, necessary land rights and agency permits for the proposed vegetation removal. The required permits must be provided to the Commission prior to vegetation clearing.
- The Permittee's plan for notifying landowners in the identified area(s) and for providing contact information for the Permittee's field representative; and
- If the Permittee has made any modifications to the right-of-way or alignment within the Designated Route from that identified in this route permit, the Permittee shall demonstrate that the right-of-way to be cleared of vegetation will be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way and alignment identified in this route permit.

Great River Energy requests this condition, consistent with other recent route permits, because vegetation clearing restrictions related to protected species have the potential to result in construction schedule constraints.⁴

K. New Condition – Substation Construction

Great River Energy also requests a new section that addresses the timing of substation construction, in acknowledgement that substation construction may be commenced prior to other portions of the Project to maintain the Project schedule:

Notwithstanding any other requirements in this Permit, Permittee may commence construction of the substations identified in Section 2.3 of this Permit, provided that Permittee complies, as applicable, with Sections 9.1 and 9.2 of this Permit with respect to the specific scope of the construction activities sought to be conducted by Permittee.⁵

III. Conclusion

Great River Energy appreciates EIP Staff's and the Commission's consideration of these comments and looks forward to further proceeding with this Project.

Dated: February 18, 2026

Respectfully submitted,

s/ Haley Waller Pitts

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⁴ See *Pilot Knob Order* at Condition No. 6.7; *In the Matter of the Applications of Xcel Energy for a Certificate of Need and Route Permit for the Minnesota Energy Connection Project in Sherburne, Stearns, Kandiyohi, Wright, Meeker, Chippewa, Yellow Medicine, Renville, Redwood, and Lyon counties in Minnesota*, MPUC Docket No. E-002/TL-22-132; E-002/CN-22-131, Order Granting Certificate of Need and Issuing Route Permit (*MNEC Order*) at Condition No. 6.3; *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need and Route Permit for an Approximately 180-mile, Double Circuit 345- kV Transmission Line*, MPUC Docket No. E-015, ET-2/TL-22-415; E-015, ET-2/CN-22-416, Order Granting Certificate of Need and Issuing Route Permit (*NRP Order*) at Order Condition No. 6.6.

⁵ *MNEC Order* at Condition No. 6.5; *NRP Order* at Condition No. 6.7.

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CERTIFICATE OF SERVICE

MPUC Docket No. ET2/TL-25-269

Maia Martinez certifies that on the 18th day of February 2026, she e-filed a true and correct copy of these comments on behalf of Great River Energy with the Minnesota Public Utilities Commission via eDockets (www.edockets.state.mn.us).

Said document was also served on the Official Service List of record and the general service list, as applicable, on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: February 18, 2026

Signed: /s/ Maia Martinez

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#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Sasha	Bergman	sasha.bergman@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
2	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
3	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	25-269 Official CC Service List
4	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	25-269 Official CC Service List
5	Craig	Janezich	craig.janezich@state.mn.us		Public Utilities Commission	121 7th Pl E #350 St. Paul MN, 55101 United States	Electronic Service		No	25-269 Official CC Service List
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-269 Official CC Service List
7	Joseph	Meyer	joseph.c.meyer@state.mn.us		Office of Administrative Hearings	PO Box 64620 St. Paul MN, 55164 United States	Electronic Service		Yes	25-269 Official CC Service List
8	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	25-269 Official CC Service List
9	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	25-269 Official CC Service List
10	Suzanne	Steinhauer	suzanne.steinhauer@state.mn.us		Public Utilities Commission	121 7th Place E, Suite 350 St. Paul MN, 55101 United States	Electronic Service		No	25-269 Official CC Service List
11	Mark	Strohfus	mstrohfus@grenergy.com	Great River Energy		12300 Elm Creek Blvd Maple Grove MN, 55369 United States	Electronic Service		No	25-269 Official CC Service List
12	Haley	Waller Pitts	hwallerpitts@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-269 Official CC Service List