BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

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.	ISSUE DATE: December 17, 2021 DOCKET NO. E-T2/TL-20-423 ORDER ADOPTING ADMINISTRATIVE LAW JUDGE REPORT AND ISSUING ROUTE PERMIT

PROCEDURAL HISTORY

On June 22, 2020, Great River Energy (GRE) and Otter Tail Power Company (Otter Tail), Joint Applicants, filed a joint application for a route permit for a high voltage transmission line.

On September 22, 2020, the Commission issued an order accepting the application as complete and authorizing use of the alternative permitting process.

On October 22, 2020, the Commission and Department of Commerce Environmental Review and Analysis (EERA) staff held a virtual public information and environmental assessment scoping meeting.

On February 12, 2021, the EERA filed a scoping decision identifying the route and route segments that would be studied in the Environmental Assessment (EA).

February 26, 2021, the Minnesota Land Trust filed comments stating that it holds a Conservation Easement on land owned by Don and Lori Thorp that would be affected by route segments studied in the EA. The Trust and the landowners recommended against permitting the line using those route segments.

On May 14, 2021, the EERA filed the EA.

On June 8, 2021, the Commission held an in-person public hearing on the project in Frazee, Minnesota.

On June 9, 2021 the Commission held a virtual public hearing on the project.

On June 24, 2021, the Department of Natural Resources (DNR) filed comments recommending that the Commission authorize a particular portion of the route (a route segment) to avoid potential environmental impacts elsewhere.

On June 25, 2021, the Pollution Control Agency filed comments identifying potential environmental impacts along the proposed route.

On July 15, 2021, the Applicants filed proposed Findings of Fact and Conclusions of Law recommending that the Commission issue a route permit.

On July 15 and 28, 2021, the Applicants filed responses to comments from the following: the DNR; the Minnesota Land Trust; and several members of the public, including: Samuel Gingrich; Lani Vincent and Darl Enga; the Thorp family; Henry Ludtke; Lori Oelfke; Jack Oelfke; Kristi and Jim Rorah; Chester Schmucker; and Deb Axdahl.

On July 30, 2021, the EERA filed comments recommending that the Commission issue a route permit for the proposed transmission line.

On September 1, 2021, the Administrative Law Judge from the Office of Administrative Hearings filed his Findings of Fact, Conclusions of Law, and Recommendation (ALJ's Report) recommending that the Commission issue a route permit.

On September 16, 2021, the EERA filed exceptions to the ALJ's permit recommending technical corrections.

On October 28, 2021, the matter came before the Commission.

FINDINGS AND CONCLUSIONS

I. The Proposed Project

The Joint Applicants proposed to construct a substation (the Erie Substation) and 115 kilovolt (kV) high voltage transmission line (HVTL) 9.4 miles in length. The Erie Substation would be owned by Otter Tail and interconnect to an existing 230 kV HVTL owned by Xcel Energy. The substation would step down the voltage from 230 kV to 115 kV. The electricity would then be routed to the existing GRE Frazee Substation through the proposed HVTL, which GRE would own. The Erie Substation would include three 230 kV breakers, one 230/115/13.8 kV transformer, and one 115 kV breaker, as well as a control house and fencing. The substation would be graveled with an access road; the parcel of land the Joint Applicants would acquire to construct the project is adjacent to the existing 230 kV HVTL.

The Joint Applicants filed their application under Minn. Stat. § 216E.04 and Minn. R. 7850.2800, which set forth the requirements for the alternative review permitting process that is available for

eligible projects, including high-voltage transmission lines of between 100 and 200 kilovolts.[1] A certificate of need is not required for the proposed project under Minn. Stat. § 216B.243.[2]

The Joint Applicants' proposed route would interconnect at the proposed Erie Substation and exit the east side of the substation. At 360th Avenue, Height of Land Township, it would turn southerly and follow 360th Avenue for approximately 2.3 miles until it intersects with County Highway (CH) 31 in Silver Leaf Township. At CH 31, it would turn south for approximately 2.6 miles until it intersects with Minnesota Highway (MH) 87 in Silver Leaf Township. At MH 87, it would turn westerly and follow the highway for approximately two miles, at which point it would turn south across a new right-of-way (ROW) for approximately 0.1 miles until it intersects with Great River Energy's existing Lake Region Frazee to Evergreen 41.6 kV transmission line in Burlington Township.

II. Alternative Review Permitting Process

Under the Commission's alternative review permitting process, an applicant must propose one transmission line route, which the Department studies by preparing an EA to examine the human and environmental impacts of the proposed project and address mitigation measures.[3] To develop the record in this case, the Commission asked the Administrative Law Judge to hold at least one public hearing and prepare a report with findings of fact, conclusions of law, and a recommendation.

III. Route Permitting Criteria

In examining a route permit application, the Commission "must be guided by the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient cost-effective power supply and electric transmission infrastructure."[4]

The Commission must also consider the following:

> (1) evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and high-voltage transmission lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for

[1] Minn. Stat. § 216E.04, subd. 2(3).

[2] Under Minn. Stat. § 216B.2421, a high voltage transmission line requiring a certificate of need includes "any high-voltage transmission line with a capacity of 100 kilovolts or more with more than ten miles of its length in Minnesota or that crosses a state line." Because the proposed project is shorter than 10 miles, a certificate of need is not required.

[3] Minn. Stat. § 216E.04, subd. 5.

[4] Minn. Stat. § 216E.03, subd. 7(a).

minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;

(2) environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;

(3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

(4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;

(5) analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;

(6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;

(7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;

(8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;

(9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(10) evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;

(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and

(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.[5]

Further, "the commission must make specific findings that it has considered locating a route for a high-voltage transmission line on an existing high-voltage transmission route and the use of parallel existing highway right-of-way and, to the extent those are not used for the route, the commission must state the reasons."[6]

[5] *Id*. at subd. 7(b).

[6] *Id*. at subd. 7(e).

IV. Environmental Assessment

In the EA, the EERA studied the applicants' proposed route, as well as alternative route segments, to examine and mitigation potential human and environmental impacts. For ease of reference, the Applicants' proposed route is labeled "orange" in the EA. A separate portion of the proposed route is labeled "maroon" and includes an examination of possible route segment alternatives that are labeled "pink" and "teal."

The Teal route segment deviates from the applicants' proposed route at the intersection of CH 31 and 360th Avenue and follows CH 31 northeast until it reaches 385th Avenue where it turns north to reach the 230 kV Line. The Teal route segment follows highway and road ROW for its entire length; it has a route width of 400 feet extending 200 feet on both sides of the approximate centerline of CH 31 and 385th Avenue.

The Pink route segment also deviates from the applicants' proposed route at the intersection of County Highway 31 and 360th Avenue but then follows CH 31 northeast until it reaches the 230 kV Line. The Pink route segment also follows highway ROW for its entire length; it has a route width of 400 feet extending 200 feet on both sides of the approximate centerline of County Highway 31.

V. ALJ's Report

After a careful and thorough examination of applicable route permitting criteria, the ALJ recommended that the Commission issue a route permit for the Joint Applicants' proposed route, stating that the Pink and Teal route segment alternatives studied in the EA would have more significant environmental impacts.

The ALJ found that the Teal and Pink route segment substation locations present greater visual impacts to the travelling public and would increase the length and cost of a potential Minnkota transmission line that may originate west and north of the Project and connect to the proposed Erie Substation. Additionally, the ALJ found that the Teal and Pink route segments would also result in higher costs for the proposed Project and that the Pink route Segment would result in negative impacts to an existing Minnesota Land Trust conservation easement.

The ALJ also found that the EERA conducted an environmental analysis of the proposed Project consistent with Minn. R. 7850.3700. The ALJ further found that the EA and the record reasonably address the issues identified in the scoping decision considering the availability of information and that the EA includes the information required by Minn. R. 7850.3700, subp. 4, and was prepared in compliance with the procedures of Minn. R. 7850.3700.

VI. Exceptions to the ALJ's Report

The only exceptions to the ALJ's Report were filed by the EERA, which recommended clarifications to Findings 58, 92, 108, 114, 164, 215, 259, 273, 277, and 280, as follows.

A. Finding 58

The EERA recommended modifying Finding 58 to increase clarity as follows:

> ~~The Applicants'~~ For the purposes of the EA, the Applicants' proposed route was subdivided ~~the proposed routes~~ into two route segments—Orange and Maroon. The Maroon route segment follows 360th Avenue.

B. Finding 92

The EERA recommended modifying Finding 92 to more clearly and equitably describe public comments, as follows:

> In comments submitted outside of an open comment period, members of the public have submitted petitions signed by approximately 50 individuals expressing opposition to the Teal and Pink Route Segments. In the petition, the members of the public assert: "There is no indication that moving the original proposed route to one of the alternative routes will have less impacts, and indeed will very likely cause greater environmental impacts." In addition, ~~the following~~ individual comments were submitted, also outside of an open comment period~~:~~, expressing opposition to the Teal and Pink Route Segments. Commentors expressed concerns regarding impacts resulting from the construction and operation of the Project to aesthetics, conservation easements, vegetation, wetlands, and wildlife.
>
> ~~(a) Jack Oelfke: opposes a route alternative on CH 31, expressing concerns about an osprey nest and lady slipper flowers. Mr. Oelfke indicated he was not initially aware that alternatives in his area were being proposed. He has a conservation easement with the Minnesota Land Trust which stated that his property "is in the bullseye of both the [Pink and Teal Route Segments]." The Minnesota Land Trust also submitted comments regarding this conservation easement.~~
> ~~(b) Paul and Monica Nord: oppose a route alternative on CH 31.~~
> ~~(c) Rob Ehnert: opposes a route alternative on CH 31, expressing concerns about wetlands, wildlife, and aesthetics, and stating he would have commented sooner but was not aware alternatives were being proposed.~~
> ~~(d) Luc and Mary Delaquis and Bobby Rethwisch: opposes a route alternative on CH 31, expressing concerns about wetlands, wildlife, and aesthetics.~~

C. Finding 108

The EERA recommended striking Finding 108 as follows, stating that it is unclear and was not addressed in the record:

~~The impact to the value of homes and businesses with unreliable electric service was not addressed but is presumed to be negative.~~

D. Finding 114

The EERA recommended modifying Finding 114 to incorporate the following clarification:

> There are no scenic overlooks or scenic byways near the Project, nor are there schools or churches in the <u>local</u> vicinity.

E. Finding 164

The EERA recommended modifying Finding 164 to remove the following phrase because it was not addressed by the record:

> Indirect impacts to tourism are associated with direct impacts to recreational opportunities. These unavoidable impacts will be short-term and intermittent during construction, and long-term and localized during operation. The Project will not preclude future tourist activities ~~and will benefit future tourism overall through maintaining the reliability of electric power~~. Various sections of the sample permit indirectly address impacts to recreation, such as noise, aesthetics, soils, etc., and, as a result, also indirectly mitigate impacts to tourism. No additional mitigation is proposed.

F. Finding 215

The EERA recommended modifying Finding 215 to increase clarity by using either "proposed route" or "Orange and Maroon route segments" as opposed to "Project's route." With this change, Finding 215 would read:

> The ~~Project's route~~ <u>proposed route</u> minimizes potential impacts by predominantly following existing rights-of-way. In addition, the Applicants will address avian issues by working with the DNR and USFWS to identify any areas that may require marking transmission line shield wires or using alternate structures (e.g., H-Frame or three-pole structures) to reduce the likelihood of collisions.

G. Finding 259

The EERA recommended modifying Finding 259 to remove the phrase on wetlands as shown below to ensure consistency with Finding 203, which states that "[I]mpacts along the Maroon, Teal, and Pink route segments are anticipated to be similar given the number of structures needed in wetlands, and that these route segments follow existing road ROW meaning access to structure locations could occur perpendicular to the road minimizing potential impacts." With this modification Finding 259 would read as follows:

The Teal Route Segment presents human and environmental impacts that are similar or greater than the Maroon Route Segment. Specifically, the Teal Route Segment:

- Crosses the Hungry Lake AMA, potentially impacting recreation.
- Has not been surveyed for archaeological and cultural resources.
- Borders, but is not expected to impact, a moderate ranked MBS Site of Biodiversity Significance.
- Will have a greater negative visual impact to the traveling public.
- ~~Crosses five times more emergent wetlands.~~
- Would result in impacts to an existing RIM Reserve easement and a wetland reserve easement.
- Could increase future cumulative impacts by increasing the length and cost of a future Minnkota transmission line that might originate west and north of the Frazee Project and connect to the Project's Erie Substation.

H. Finding 273

The EERA recommended modifying Finding 273, as follows:

> Northern Long-Eared Bat (NLEB): For Project construction, Applicants must comply with the U.S. Fish and Wildlife Service guidance and requirements in effect regarding NLEB.~~, including tree clearing restrictions if applicable.~~ Additionally, tree clearing shall occur between August 1st and April 30th.

The EERA stated that the locations of the Northern Long-Eared Bat roost trees and hibernacula are unknown, and as a result, recommended applying tree clearing restrictions as stated above. This requirement would better protect this species during the pup season (June 1 through July 31), and it would benefit nesting birds.

I. Finding 277

The EERA recommended modifying Finding 277 to clarify the role of a third-party monitor, who would proactively monitor and document project construction and restoration activities and inform EERA's compliance review, as follows:

> Prior to any construction, the Permittees shall propose a scope of work and identify one independent third party ~~agency~~ monitor on behalf of the Department of Commerce. The scope of work shall be developed in consultation with and approved by the Department of Commerce. This third-party monitor will report directly to and will be under the control of the Department of Commerce with costs borne by the Permittee. The Permittee shall file ~~the~~ with the Commission the scope of work 30 days prior to commencing construction and the name, address, email, phone number, and emergency phone number of the third-party monitor 14 days prior to commencing any construction or right-of-way preparation and upon any

change that may occur during the construction of the project and restoration of the right-of-way.

J. Finding 280

The EERA stated that Finding 280 does not specify how soon a vegetation management plan must be filed prior to filing of the plan and profile; the EERA recommended requiring the Joint Applicants to file the vegetation plan 14 days prior to filing its plan and profile.

VII. Commission Action

The Commission concurs with the ALJ's findings that the EA and the record created at the public hearing address the issues identified in the scoping decision, and the Commission concurs with the ALJ's recommendation to issue a route permit for the proposed transmission line using the Applicants' proposed route.

The Commission also concurs with the EERA on modifications to the ALJ's Report, which increase clarity. Nobody objected to these clarifications, and the Commission will adopt them as set forth in the ordering paragraphs below.

ORDER

1. The Commission adopts the ALJ's Report with the following modifications:

   a. Edits to Findings 58, 114, and 280 as proposed by the EERA in exceptions, and Finding 215 and as shown above.

   b. Edits to Findings 92, 108, 164, and 259 as proposed by the EERA in exceptions.

   c. Amendment to Finding 273 and a change to the route permit. as follows:

      Northern Long-Eared Bat (NLEB): For Project construction, Applicants must comply with the U.S. Fish and Wildlife Service guidance and requirements in effect regarding NLEB~~, including tree clearing restrictions if applicable~~. Additionally, tree clearing shall occur between August 1st and May 31st.

   d. Amendment to Finding 277 and change the route permit accordingly as follows:

      Prior to any construction, the Permittees shall propose a scope of work and identify one independent third party ~~agency~~ monitor on behalf of the Department of Commerce. The scope of work shall be developed in consultation with and approved by the Department of Commerce. This third-party monitor will report directly to and will be under the control of the Department of Commerce with costs borne by the Permittee. The

Permittee shall file ~~the~~ with the Commission the scope of work 30 days prior to commencing construction and the name, address, email, phone number, and emergency phone number of the third-party monitor 14 days prior to commencing any construction or right-of-way preparation and upon any change that may occur during the construction of the project and restoration of the right-of-way.

2. The Commission finds that the Environmental Assessment and the record created at the public hearing address the issues identified in the scoping decision and are adequate and in compliance with all applicable rules and requirements.

3. The Commission issues the attached Route Permit that identifies the route proposed by Great River Energy and Otter Tail (Orange-Maroon Route) for its Frazee to Erie 115 kV transmission line with specific requirements and conditions.

4. Great River Energy and Otter Tail Power must hire an independent third-party monitor as proposed by the EERA in its October 15, 2021 letter, and the permittees and the EERA must file summaries on the use of a monitor upon completion of the monitor's activities.

5. This order shall become effective immediately.

BY ORDER OF THE COMMISSION

Will Seuffert
Executive Secretary

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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT FOR A
HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
BECKER AND OTTER TAIL COUNTIES

ISSUED TO
GREAT RIVER ENERGY AND OTTER TAIL POWER COMPANY

PUC DOCKET NO. E017, ET2/TL-20-423

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

Great River Energy and Otter Tail Power Company

Great River Energy is authorized by this route permit to construct and operate approximately 9.4 miles of new overhead 115 kilovolt (kV) transmission line, which will connect the proposed Erie Substation to Great River Energy's existing 115/41.6-kV Frazee Substation located south of the City of Frazee, Minnesota, and Otter Tail Power Company is hereby authorized to construct and operate a new 230-kV to 115-kV (230/115-kV) substation—the Erie Substation—in Section 31 of Height of Land Township, Becker County, Minnesota.

The high-voltage transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the route maps and in compliance with the conditions specified in this permit.

Approved and adopted this 17th day of December, 2021

BY ORDER OF THE COMMISSION

William Seuffert
Executive Secretary

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ATTACHMENTS

1 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy and Otter Tail Power (Permittees) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Great River Energy to construct and operate an approximately 9.4 miles of new overhead 115-kilovolt (kV) transmission line, which will connect the proposed Erie Substation to Great River Energy's existing 115/41.6-kV Frazee Substation located just south of the City of Frazee, Minnesota, and as identified in the attached route maps, hereby incorporated into this document. This permit also authorizes Otter Tail Power Company to construct and operate a new 230-kV to 115-kV (230/115-kV) substation—the Erie Substation— in Section 31 of Height of Land Township, Becker County, Minnesota and as also identified in the attached route maps.

1.1 Preemption

Pursuant to Minn. Stat. § 216E.10, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

2 PROJECT DESCRIPTION

Otter Tail Power will construct the Erie Substation on a parcel northwest of the intersection of 360th Avenue, Height of Land Township and Xcel Energy's existing 230-kV transmission line. The parcel is located in S½NE¼SE¼ of Section 31, Township 139 N, Range 39 W. The substation will be interconnected to the existing Xcel Energy 230-kV transmission line. Great River Energy will construct the proposed 9.4-mile overhead 115-kV transmission line in Becker and Otter Tail Counties, Minnesota

The proposed Project consists of: Otter Tail Power constructing the new 230/115-kV Erie Substation, and Great River Energy constructing approximately 9.4 miles of new overhead 115-kV transmission line from the proposed Erie Substation to Great River Energy's existing Frazee Substation.

2.1 Project Location

County	Township Name	Township	Range	Sections
Becker	Height of Land	139N	39W	31, 32

Becker	Silver Leaf	138N	39W	5, 6, 7, 8, 17, 18, 19, 20 ,29,30
Becker	Burlington	138N	40W	25, 35, 36
Otter Tail	Hobart	137N	40W	1, 2

2.2 Substations and Associated Facilities

Otter Tail Power will construct, own and operate the Erie Substation on its approximately 20-acre parcel of land northwest of where Xcel Energy's existing 230-kV transmission line (#0909 Hubbard - S43 - to Audubon) crosses 360th Avenue in Height of Land Township. The parcel is located in the S½ of the NE¼ of the SE¼ of Section 31, Township 139 N, Range 39 W. The substation will be interconnected to the existing Xcel Energy 230-kV transmission line. The voltage will be stepped down from 230 kV to 115 kV for connection to the existing Great River Energy Frazee Substation. The new substation is proposed to include three 230-kV breakers, one 230/115/13.8-kV transformer, and one 115-kV breaker. The substation, including a control house, will be enclosed in a fenced area of approximately 400 by 400 feet. A gravel access road and a parking area may be constructed outside of the fence.

2.3 Structures

The majority of the new 115-kV line will consist of single circuit, single-pole wood structures spaced approximately 300 to 400 feet apart. Transmission structures will typically range in height from 60 to 90 feet above ground depending upon the terrain and environmental constraints (such as stream crossings and required angle structures). The average diameter of the wood structures at ground level will be 20 inches.

In some locations, H-frame structures or 3-pole structures may be needed to cross under the 230-kV line, the HVDC line, or if an agency requests a horizontal phase configuration in areas that may be more prone to avian flight paths.

Where the proposed 115-kV line is double circuited with Great River Energy's existing 41.6-kV line, Great River Energy will conduct detailed design work to determine the structures' specific design, diameter and height, including with respect to Minnesota Land Trust easement(s).

2.4 Conductors

The three single-conductor phase wires will be 795 ACSS (Aluminum Conductor Steel Supported) or a conductor of similar capacity. A shield wire will be installed above the conductors for lightning protection.

3 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The route is generally described as follows:

The 115-kV transmission line will interconnect at the proposed Erie Substation and exit the east side of the substation. At 360th Avenue, Height of Land Township, it will turn southerly and follow 360th Avenue for approximately 2.3 miles until it intersects with CH 31 in Silver Leaf Township. At CH 31, it will turn south and follow along CH 31 for approximately 2.6 miles until it intersects with MH 87 in Silver Leaf Township. At MH 87, it will turn westerly and follow the highway for approximately 2.0 miles, at which point it will turn south across new ROW for approximately 0.1 miles until it intersects with Great River Energy's existing LR-FE 41.6-kV transmission line in Burlington Township. The proposed 115-kV transmission line will be double circuited with the existing 41.6-kV transmission line for approximately 1.7 miles. At the point where the 115-kV line intersects the 41.6-kV line, the double-circuited line will travel approximately 1.3 miles south. Then the double circuit will turn westerly for approximately 0.4 miles in Hobart Township, at which point the 115-kV transmission line will turn north-northwest for approximately 0.5 miles along new ROW. Finally, the 115-kV line will turn west for approximately 0.1 miles to interconnect with the existing Frazee Substation.

The identified route widths on the attached route maps provide the Permittee with flexibility for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (*i.e.*, permanent and maintained rights-of-way) must be located within this designated route unless otherwise authorized by this permit or the Commission.

4 RIGHT-OF-WAY

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 100 feet in width. The permanent right-of-way is typically 50 feet on both sides of the transmission line measured from its centerline. If guy wires are needed to support a structure, a 200-foot box right-of-way around such structures to accommodate guy wires and anchors are authorized.

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7850.4100. The actual right-of-way will generally conform to the anticipated alignment identified on the Route Maps, unless changes are requested by individual

landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. R. 7850.4100 and the other requirements of this permit; and for highways under the jurisdiction of the Minnesota Department of Transportation, the procedures for accommodating utilities in trunk highway rights-of-way.

4.1 Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. These constraints may arise from any of the following:

1. Unforeseen circumstances encountered during the detailed engineering and design process.
2. Federal or state agency requirements.
3. Existing infrastructure within the route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7850.4900.

5 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the transmission line and associated facilities over the life of this permit.

5.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, county auditor and environmental office, and city and township clerk in which any part of the site is located.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's *Rights-of-Way and Easements for Energy Facility Construction and Operation Fact Sheet*.[1]

5.2 Access to Property

The Permittee shall contact landowners prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner.

5.3 Construction and Operation Practices

The Permittee shall follow those specific construction practices and material specifications described in described in the June 2020 Route Permit Application for the Frazee to Erie 115-kV Transmission Line Project, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to

[1] https://apps.commerce.state.mn.us/eera/web/project-file?legacyPath=/opt/documents/Easements%20Fact%20Sheet_08.05.14.pdf

affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.2 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the transmission line of the terms and conditions of this permit.

5.3.3 Public Services and Public Utilities

During construction, the Permittee shall minimize any disruption to public services and public utilities. To the extent disruptions to public services or public utilities occur these will be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur, the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall consult with landowners, townships, cities, and counties along the route and consider concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.3.4 Temporary Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should be used to minimize impacts on access paths and construction areas.

5.3.5 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0100 to 7030.0080, at all times at all appropriate locations during operation of the facility. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

5.3.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners and land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

5.3.7 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

5.3.8 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. All requirements of the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (DNR), and local units of government shall be met.

5.3.9 Vegetation Management

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

5.3.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, DNR, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by project construction activities. The Permittee shall develop an Invasive Species Prevention Plan to prevent the introduction and spread of invasive species on lands disturbed by project construction activities and file with the Commission 30 days prior to the pre-construction meeting.

5.3.12 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

5.3.13 Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

5.3.14 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the transmission facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

5.3.15 Avian Protection

The Permittee in cooperation with the DNR shall identify areas of the project where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to reduce the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices.

5.3.16 Restoration

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line.

Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

5.3.17 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.3.18 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.3.19 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.4 Electrical Performance Standards

5.4.1 Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliampere rms under steady state conditions of the transmission line and to comply with the ground fault

conditions specified in the National Electric Safety Code (NESC). The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.4.2 Electric Field

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

5.4.3 Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

5.5 Other Requirements

5.5.1 Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the NESC, and North American Electric Reliability Corporation (NERC) requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. The transmission line shall be equipped with protective devices to safeguard the public if an accident occurs.

5.5.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6 SPECIAL CONDITIONS

6.1 Substation Lighting

Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the Project substation. Downward facing lighting must be clearly visible on the plan and profile submitted for the project.

6.2 Undocumented Grave Site(s)

Permittees must coordinate with landowner(s) regarding the unmarked grave site(s), as referenced in the Technical Memorandum filed on July 15, 2021, as well as the landowner-identified grave site along the Maroon Route Segment. Permittees must install temporary fencing around these sites to demark their location during construction and restoration activities. At least 14 days prior to submitting the plan and profile, Permittees must file with the Commission documentation of landowner coordination.

6.3 Organic Farm(s)

For organic farm(s) within or adjacent to the Project right-of-way, Permittees must coordinate with the owners of the organic farm(s) to avoid impacts to organic certification. At least 14 days prior to submitting the plan and profile, Permittees must file with the Commission documentation of landowner coordination.

6.4 Vegetation Clearing

During construction and operation of the Project, Permittees must utilize the wire/border zone vegetation clearing practices. Wire/border zone clearing must be clearly visible on the plan and profile submitted for the project.

6.5 Northern Long-Eared Bat

For Project construction, Permittees must comply with the U.S. Fish and Wildlife Service guidance and requirements in effect regarding Northern Long-Eared Bat. Additionally, tree clearing shall occur between August 1st and May 31st.

6.6 Showy Lady's Slipper

Permittees must coordinate with landowners regarding the identification of any showy lady's slipper. To the extent showy lady's slipper is identified, Permittees will coordinate with landowners to avoid or transplant plants. At least 14 days prior to submitting the plan and profile, the Permittees must file with the Commission documentation of landowner

coordination that includes the location of identified showy lady's slipper and negotiated avoidance measures.

6.7 Distribution Lines

Permittees must not bury distribution lines within wetlands or reroute distribution lines around wetlands, instead, Permittees must under build existing distribution lines through wetlands. Buried and underbuilt distribution lines, as well as delineated wetland boundaries, must be clearly visible on the plan and profile submitted for the project.

6.8 Minnesota Land Trust

At least 14 days prior to submitting the plan and profile for the Project, Permittees must file with the Commission evidence documenting coordination with the landowner and Minnesota Land Trust regarding the conservation easement along the Orange Route Segment.

6.9 Vegetation Management Plan

The Permittees must develop a vegetation management plan in coordination with the Department of Commerce Energy Environmental Review and Analysis and Department of Natural Resources. The vegetation management plan and documentation of the coordination efforts between the permittees and the coordinating agencies must be filed at least 14 days prior to the plan and profile. The Vegetation Management Plan must recognize landowner preferences and include the following:

- Short- and long-term management objectives, including beneficial practices for pollinators.
- A description of planned restoration and vegetation activities, including how the route will be prepared, timing of activities, and how seeding will occur (broadcast, drilling, etc.), and the types of seed mixes to be used.
- A description of how the route will be monitored and evaluated to meet management objectives.
- A description of management tools used to maintain vegetation (e.g., mowing, spot spraying, hand removal, fire, grazing, etc.), including timing/frequency of maintenance activity.
- Identification, monitoring and management of noxious weeds and invasive species (native and non-native) on site.
- Plan showing how the route will be revegetated and corresponding seed mixes. Seed mixes, seeding rates, and cover crops should follow best management practices.

Special conditions shall take precedence over other conditions of this permit should there be a conflict.

6.10 Third-Party Monitor

Prior to any construction, the Permittees shall propose a scope of work and identify one independent third party monitor on behalf of the Department of Commerce. The scope of work shall be developed in consultation with and approved by the Department of Commerce. This third-party monitor will report directly to and will be under the control of the Department of Commerce with costs borne by the Permittee. The Permittee shall file with the Commission the scope of work 30 days prior to commencing construction and the name, address, email, phone number, and emergency phone number of the third-party monitor 14 days prior to commencing any construction or right-of-way preparation and upon any change that may occur during the construction of the project and restoration of the right-of-way.

7 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.
Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1 Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of

the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

9.2 Status Reports

The Permittee shall report to the Commission on progress during finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration. Reports shall describe construction activities and progress and activities undertaken in compliance with this permit. Reports shall include text and photographs.

9.3 In-Service Date

At least three days before the facility is to be placed into service, the Permittee shall notify the Commission of the date on which the facility will be placed into service and the date on which construction was completed.

9.4 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

9.5 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible

map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

9.6 Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

(a) To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.

(b) To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.

(c) To sample and monitor upon the facilities easement of the property.

(d) To examine and copy any documents pertaining to compliance with the conditions of this permit.

10 PERMIT AMENDMENT

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

11 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer. The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the

conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12 REVOCATION OR SUSPENSION OF THE PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.

ATTACHMENT 1
Complaint Handling Procedures for Permitted Energy Facilities

MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.

2. A person presenting the complaint should, to the extent possible, include the following information in their communications:

    a. name, address, phone number, and email address;
    b. initial date of the complaint;
    c. tract, parcel number, or address of the complaint;
    d. a summary of the complaint; and
    e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.

3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:

    a. docket number and project name;
    b. name of complainant, address, phone number and email address;
    c. precise description of property or parcel number;
    d. name of permittee representative receiving complaint and date of receipt;
    e. nature of complaint and the applicable permit condition(s);
    f. summary of activities undertaken to resolve the complaint; and
    g. a statement on the final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Public Advisor at 1-800-657-3782 (voice messages are acceptable) or publicadvisor.puc@state.mn.us. For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to Will Seuffert, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at:

https://www.edockets.state.mn.us/EFiling/home.jsp. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of one year following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

H. Commission Process for Unresolved Complaints

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, the permittee and complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Public Advisor at 1-800-657-3782 or publicadvisor.puc@state.mn.us. The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

ATTACHMENT 2

Compliance Filing Procedures for Permitted Energy Facilities

MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of submitting information required by Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all known compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The Permittee shall file all compliance filings with Will Seuffert, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: https://www.edockets.state.mn.us/EFiling/home.jsp

General instructions are provided on the eDockets website. Permittees must register on the website to file documents.

2. All filings must have a cover sheet that includes:

    a. Date
    b. Name of submitter/permittee
    c. Type of permit (site or route)
    d. Project location
    e. Project docket number
    f. Permit section under which the filing is made
    g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being electronically filed, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Will Seuffert, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any electronically filed document.

PERMIT COMPLIANCE FILINGS[1]

PERMITTEE: Great River Energy and Otter Tail Power Company
PERMIT TYPE: High-Voltage Transmission Line Route
PROJECT LOCATION: Height of Land, Silver Leaf, Burlington, and Hobart Townships, Becker County, MN. Hobart Township, Otter Tail County, MN.
PUC DOCKET NUMBER: ET2/TL-20-423

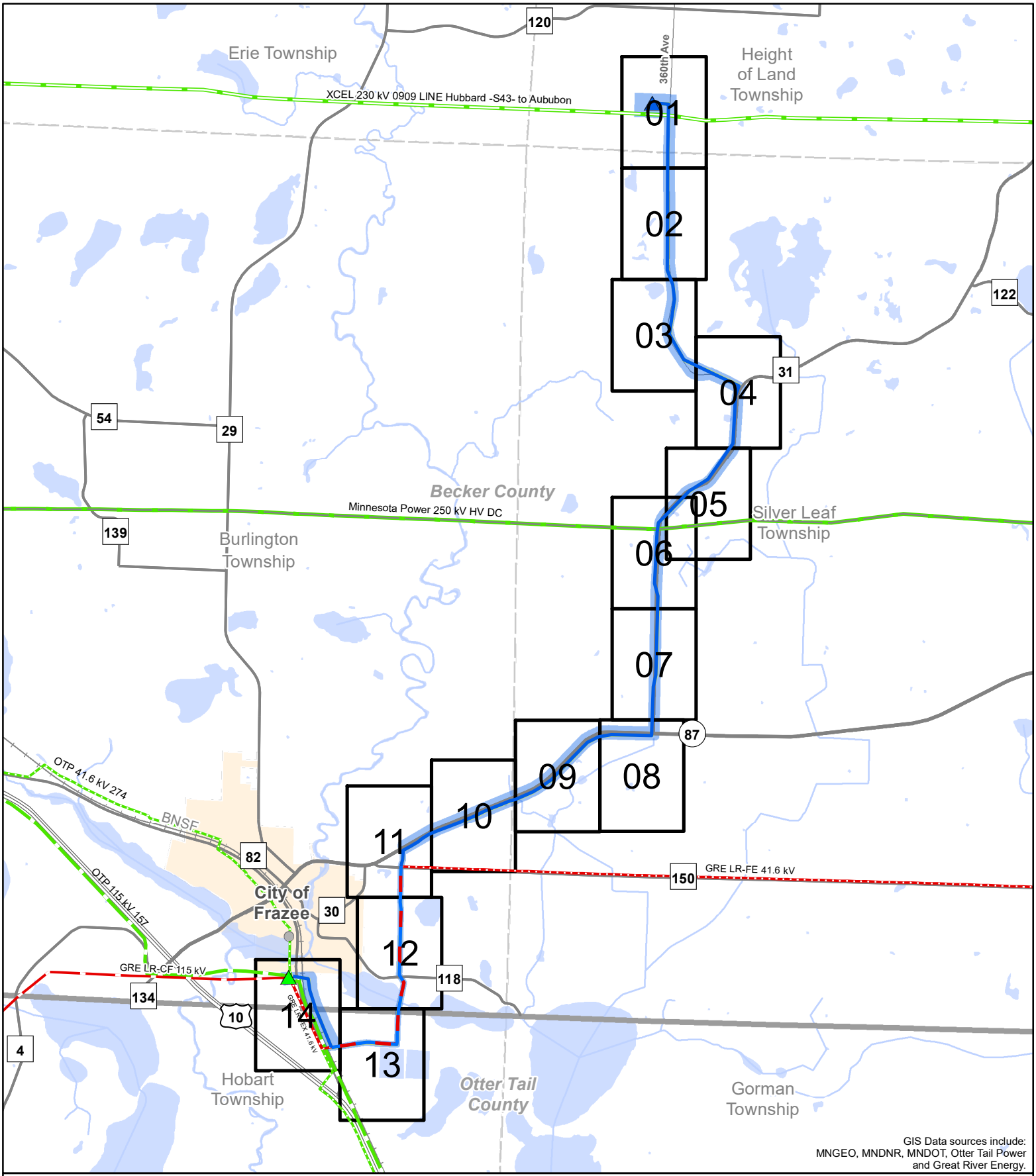
Filing Number	Permit Section	Description of Compliance Filing	Due Date
	5.1	Permit Issuance	30 days after permit issuance
	5.3.1	Field Representative	14 days prior to commencing construction
	5.3.10	Application of Pesticides	Notice 14 days prior to application
	5.3.11	Invasive Species Prevention Plan	30 days prior to commencing construction
	5.3.16	Site Restoration Report	60 days after completion of all restoration activities
	5.5.2	List of Other Required Permits	Upon request
	6.2	Unmarked Grave Site(s)	At least 14 days prior to submitting the plan and profile
	6.3	Organic Farms	At least 14 days prior to submitting the plan and profile
	6.6	Showy Lady's Slipper	At least 14 days prior to submitting the plan and profile

[1] This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	6.8	Minnesota Land Trust	At least 14 days prior to submitting the plan and profile
	6.9	Vegetation Management Plan	At least 14 days prior to submitting the plan and profile
	6.10	Third Party Monitor	Contact information for the third-party monitor filed with the Commission 14 days prior to commencing construction Scope of work filed with the Commission 30 days prior to commencing construction
	7	Delay in Construction	Four years after permit issuance, as necessary
	8	Complaint Procedures	Prior to commencing construction
	9.1	Plan and Profile	30 days prior to commencing construction
	9.2	Status Reports	Monthly through restoration
	9.3	Notice of Operation and Completion of Construction	Three days prior to commercial operation
	9.4	As-Builts	90 days after construction is complete
	9.5	GPS Data	90 days after construction is complete

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	Complaint Reporting	Monthly Complaint Reports	See Route Permit Attachment 1
	Complaint Reporting	Immediate Complaint Reports	By the following day throughout the life of the permit

ATTACHMENT 3
Route Permit Maps



GIS Data sources include: MNGEO, MNDNR, MNDOT, Otter Tail Power and Great River Energy.

Great River Energy

- Proposed transmission line
- Proposed 41.6/115-kv double circuit tranmsission line
- Existing 115-kV transmission line
- Existing 41.6-kV transmission line
- Existing transmission substation
- Easement ROW
- Project route

Non-Great River Energy Transmission

- Existing 250-kV transmission line
- Existing 230-kV transmission line
- Existing 115-kV transmission line
- Existing 41.6-kV transmission line
- Existing distribution substation
- Proposed 230/115-kV transmission substation

Landbase

- County boundary
- City boundary
- Township boundary

Frazee to Erie 115-kV Transmission Project Detailed Route Maps Map Page Index

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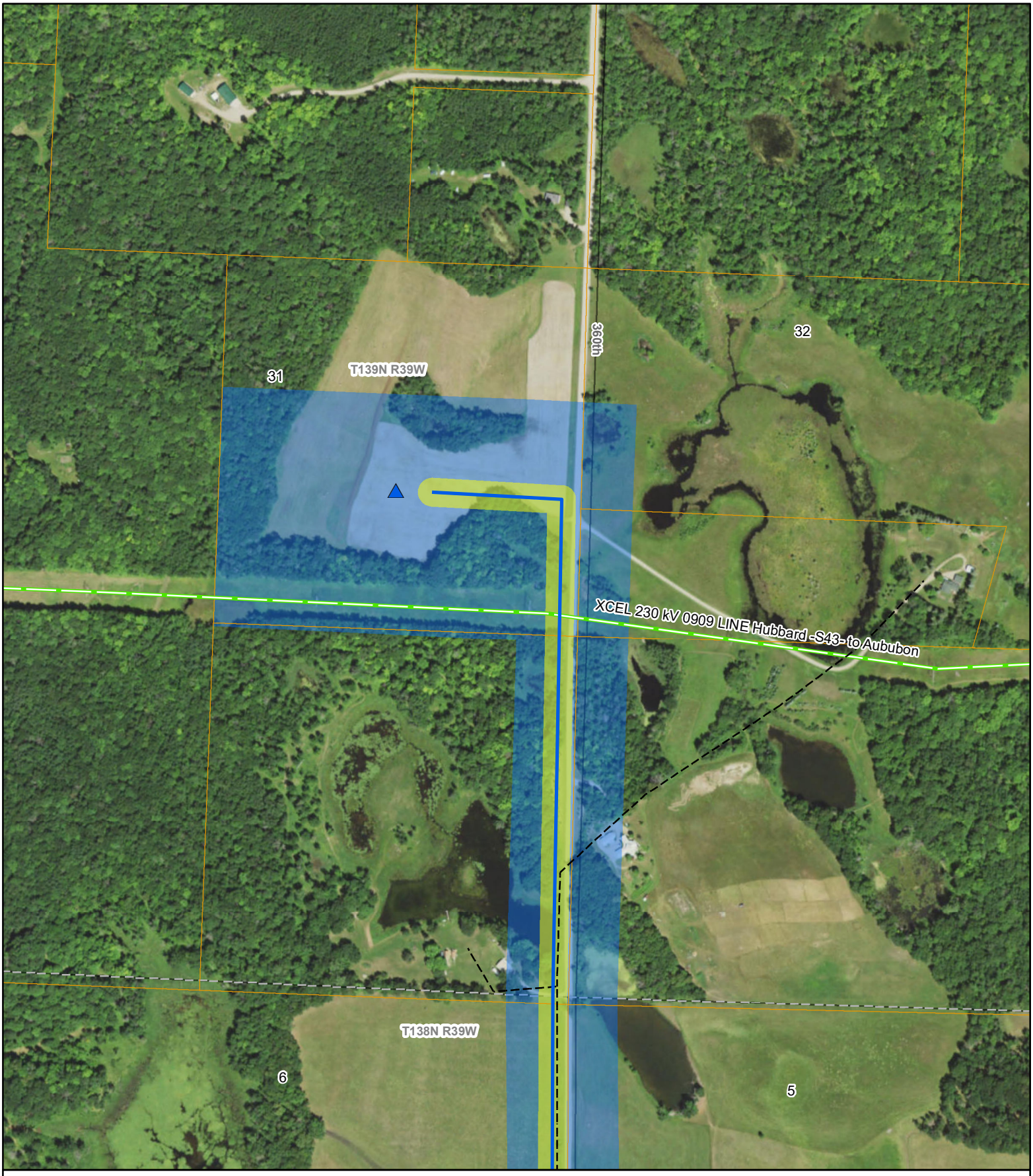


Great River Energy
- Proposed transmission line
- Proposed 230/115-kV transmission substation
- Easement ROW
- Project route

Lake Region Electric Cooperative
- Existing distribution

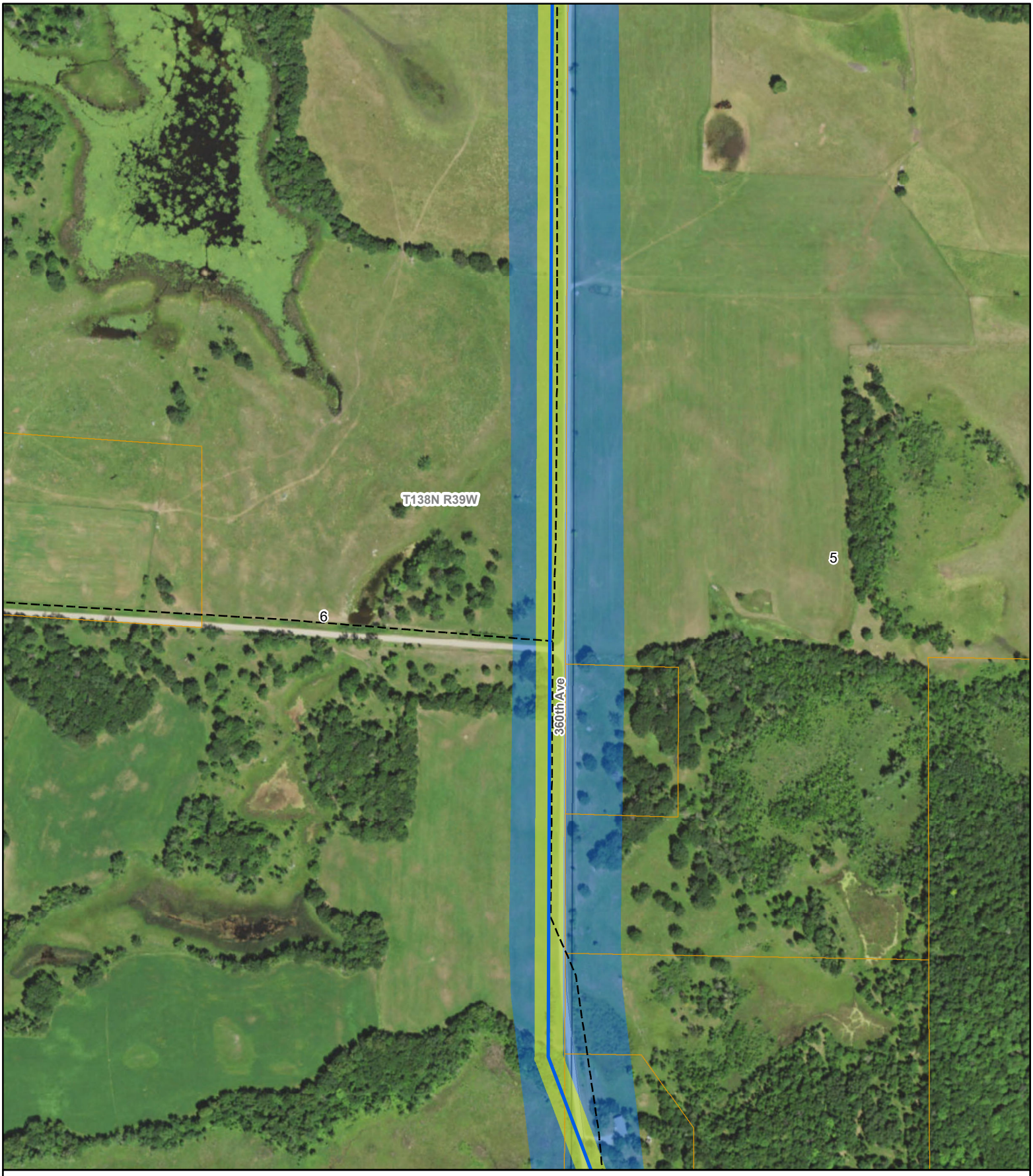
Non-Great River Energy Transmission
- Existing 230-kV transmission line

Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
Page 1 of 14

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.



Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
Page 2 of 14

Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

Lake Region Electric Cooperative
- Existing distribution

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.

Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
Page 3 of 14

Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

Lake Region Electric Cooperative
- Existing distribution

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.

Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
Page 4 of 14

Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

Lake Region Electric Cooperative
- Existing distribution

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.

Frazee to Erie 115-kV Transmission Project
Detailed Route Maps

Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

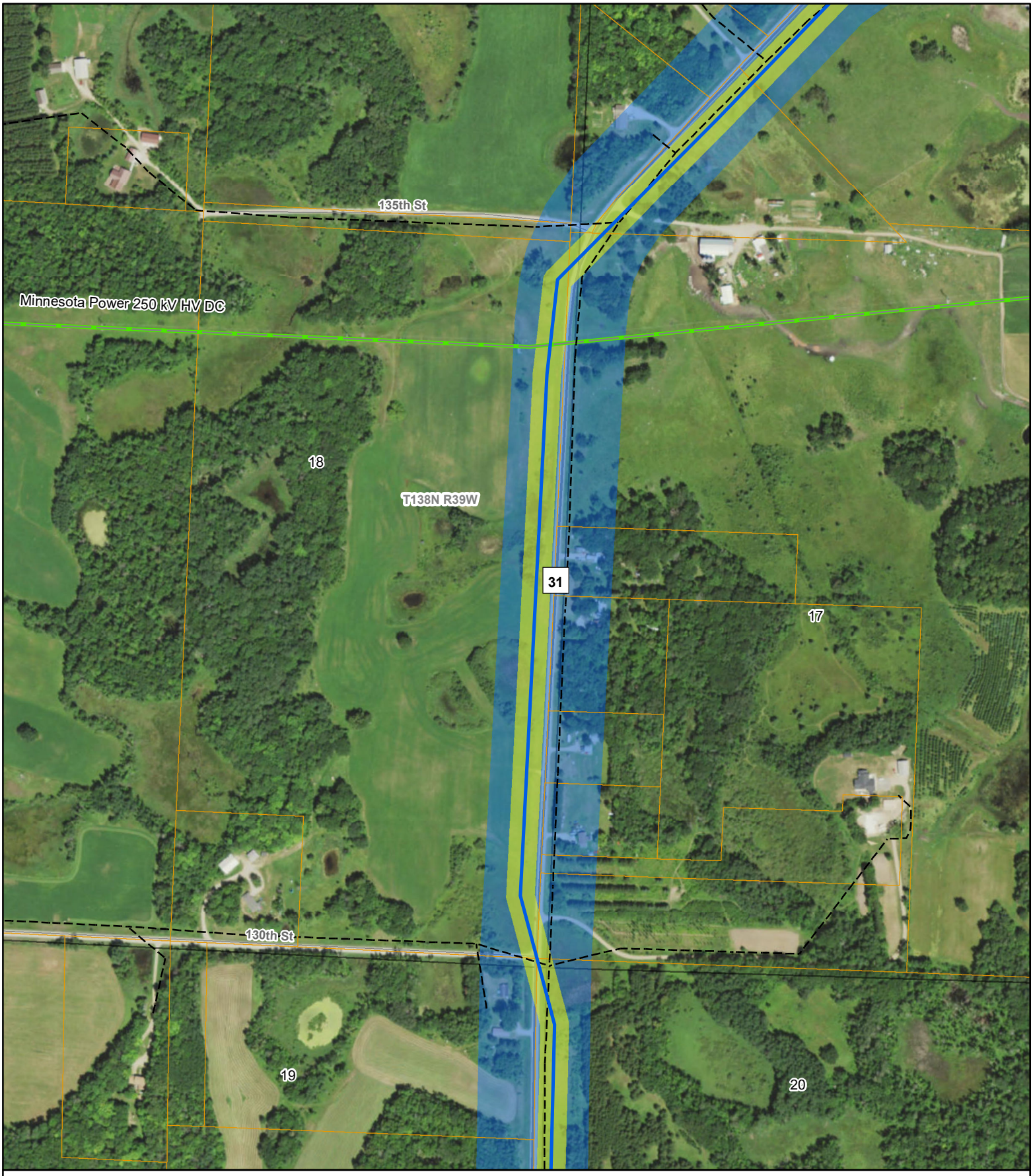
Lake Region Electric Cooperative
- Existing distribution

Non-Great River Energy Transmission
- Existing 250-kV transmission line

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.



Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
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Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

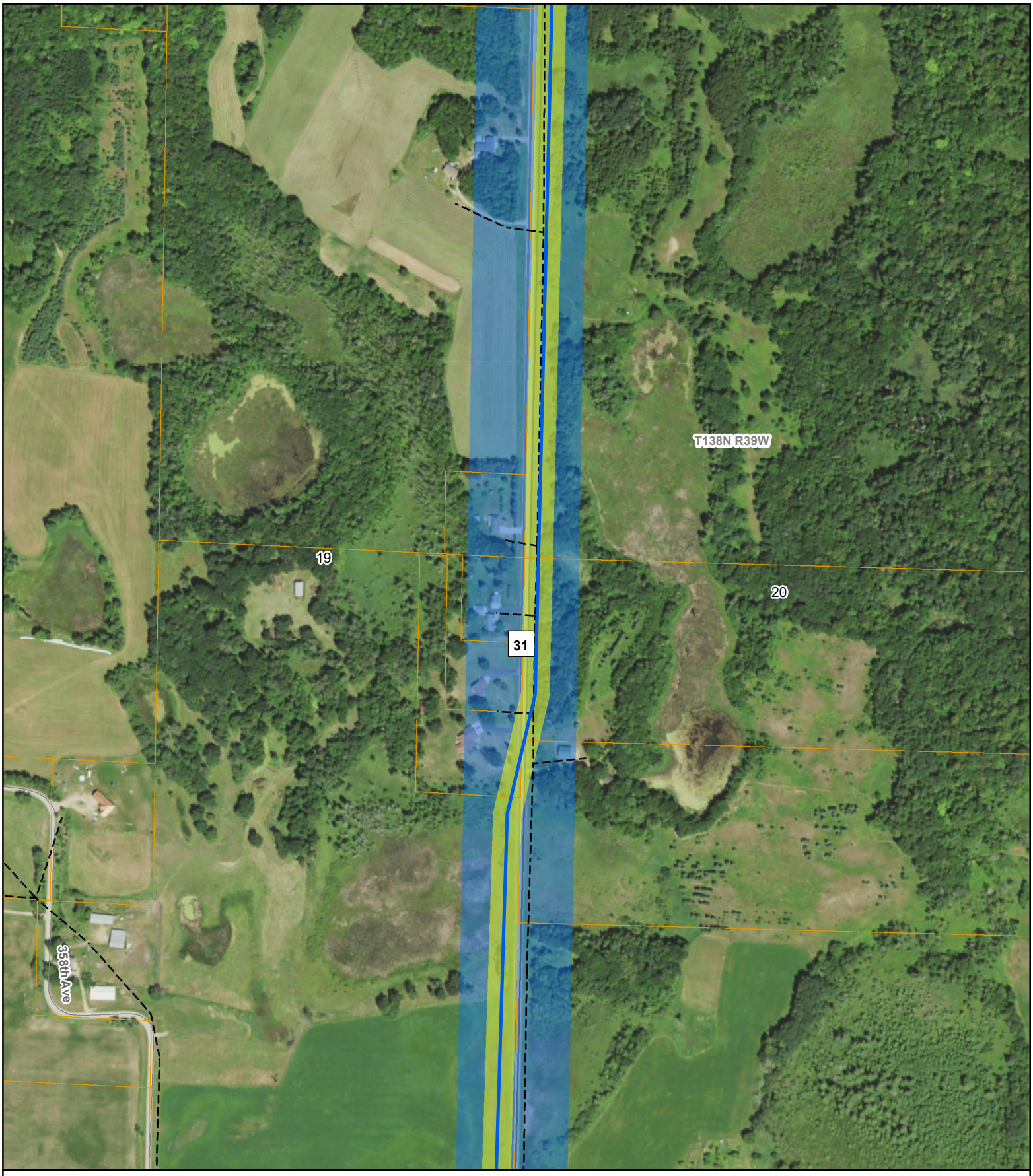
Lake Region Electric Cooperative
- Existing distribution

Non-Great River Energy Transmission
- Existing 250-kV transmission line

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.



Frazee to Erie 115-kV Transmission Project
Detailed Route Maps
Page 7 of 14

Great River Energy
- Proposed transmission line
- Easement ROW
- Project route

Lake Region Electric Cooperative
- Existing distribution

0 100 200 Feet

N

GIS Data sources include:
MNGEO, MNDNR, MNDOT, and Great River Energy.