

The Commission met on **Thursday, April 10, 2025**, with Chair Sieben and Commissioners Ham, Partridge, Sullivan and Tuma present.

The following matters were taken up by the Commission:

E-017, ET-10/TL-23-160

In the Matter of the Application for a Route Permit for the Big Stone South to Alexandria 345-kV Transmission Project in West-Central Minnesota

Commissioner Tuma moved that the Commission:

1. Adopt the route alternatives recommended by EERA for inclusion in the EIS scope.
2. Amend the draft permit section regarding grounding to require the Permittee to provide educational materials on appropriate grounding of structures and operation of equipment near the powerline to all landowners with permanent metal structures and irrigation systems within [blank] feet of the alignment. Content of the educational materials shall be developed in the Agricultural Impact Mitigation Plan (AIMP) and must include contact information for a representative of the Permittee who will work with landowners to address and rectify any induced current problems that arise because of transmission line operation at the Permittee's expense. The AIMP should address the question of the appropriate distance where impacts should be mitigated and the commission request that the ALJ make a finding on the question of distance for irrigation systems and metal structures. The applicant shall consult with the Minnesota Department of Agriculture on irrigation concerns.
3. The EIS shall identify and analyze a co-location maximization route in each region that is the most direct and maximizes routes located along existing transmission lines, state highways, county roads, and railroads.
4. The EIS shall analyze the following alternative routes:
 - a. In Pope County North Route 2 crosses Highway 29 and continues for approximately ½ mile before doing a 90 degree turn North in Section 31 where the route meets a railroad line. This Alternative 3 will instead follow the railroad line north for approximately 2 miles, then will terminate where the railroad intersects with North 2 Route in Section 19.
 - b. Where Tuma Alternative 3 terminates at the intersection of the railroad line and an east-west portion of North 2 Route, this Alternative 4 will continue following the railroad line for approximately 1 mile until it intersects with the existing 400 kV

transmission line in Section 17 and then head east/northeast to where the 400kV line intersects with North 2 Route.

The motion passed 5-0.

Commissioner Tuma moved that the Commission:

5. The EIS shall analyze the following alternative routes:

- a. Where the South routes deviate from Highway 12 East of the Hillman Waterfowl Production Area (WPA) in Odessa Township, follow Highway 12 East to where Highway 12 and Highway 59 intersect in Swift County, MN. From this point turn north from the South 1 Route and follow Highway 59 north for approximately 7 miles until it connects with the South 2 Route along 60th St. NW. Along this highway route the alignment should initially be placed in the road right of way.

The motion passed 3-2. Chair Sieben and Commissioner Partridge opposed.

Commissioner Tuma moved that the Commission:

6. At the time of filing direct testimony, the Permittee shall file in the record a detailed plan on how it will communicate its statutory obligation to provide relocation assistance, services, payments and benefits under Minn. Stat. § 117.52.
7. The Commission authorizes the Executive Secretary to develop a fact sheet for landowners for buy the farm and relocation benefits under Minnesota law.

The motion passed 5-0.

E-002/CN-22-131; E-002/TL-22-132

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

Commissioner Tuma moved that the Commission approve the following:

1. Adopt the administrative law judge's findings of fact, conclusions of law, and recommendations to the extent consistent with the decisions below.

2. Adopt the following exceptions and clarifications¹ to the ALJ Report:

- a. E4;
- b. E5 ;
- c. E6;
- d. E7;
- e. E8;
- f. E9;
- g. E15;
- h. E22; and
- i. E24–E33.

3. Adopt the following exceptions and clarifications to the ALJ Report:

- a. E1;
- b. E2;
- c. E3;
- d. E11;
- e. E13;
- f. E14;
- g. E16;
- h. E17;
- i. E18;
- j. E19;
- k. E20;
- l. E21; and
- m. E23.

4. Determine that the Final EIS is adequate, in that it: (i) addresses the issues and alternatives raised in scoping; (ii) provides responses to substantive comments received on the Draft EIS, and (iii) was prepared in compliance with Minn. R. chapter 7850.

5. Grant a certificate of need for the Minnesota Energy Connection Project (Project or MNEC Project).

6. Condition its certificate of need determination on requirements that Xcel Energy:

- File a final cost number or cap amount within 90 days of the Commission’s Order determining the route.
- Wait until the first scheduled rate case after the Project is placed in-service to request to recover any cost overruns from Minnesota ratepayers.

¹ The specific exceptions and clarifications adopted by the Commission can be found in Attachment D, Table 2, of staff briefing papers filed on March 31, 2025.

- Fully justify the reasonableness of recovering any cost overruns of the Project from Minnesota ratepayers. Xcel Energy must justify any costs (including operations-and-management expense, ongoing capital expense—including revenue requirements related to capital included in rate base—insurance expense, land-lease expense, and property/production tax expense) that are higher than forecasted in this proceeding. Xcel Energy bears the burden of proof in any future regulatory proceeding related to the recovery of costs above those forecasted in this proceeding.
- File updates regarding the composition of voltage support equipment (*i.e.*, static synchronous compensators (STATCOMs) versus interconnected solar facilities) after resource determinations have been made.

The motion passed 5–0.

Commissioner Tuma stated that he intended to move that the Commission grant a route permit for the MNEC Project and designate the following route: the DOC EERA Route with the addition of Xcel Energy’s Modified alternative 223, which is the route recommended for approval by Commission Staff; however, Commissioner Tuma also supported several additional modifications (alternative 212 modified so that the alignment is on the south side of Minnesota Hwy. 68, alternative 213, alternative 237, and expanded route widths in several locations). He proceeded to discuss each of his proposed modifications to the the Staff-recommended route and each proposed modification was moved individually for Commission approval as indicated below.

Commissioner Partridge moved that the Commission approve the following:

1. For the purpose of identifying an alternative alignment within the expanded route width below that reduces environmental and human impacts, the Permittee shall consult with the affected Townships, BWSR (particularly those responsible for managing conservation easements in this area), DNR and the affected landowners. The Permittee shall file with the Commission the results of the consultations and any modifications to the transmission line alignment that have been mutually agreed to within the expanded route width.
The route width is expanded as follows (see attached map): a. a distance of 2700 feet to the east of the Alternative 213 alignment to allow for a possible alignment along the field line for the purpose of mitigating impacts on the homestead at 31252 Kenwood Avenue.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve expanding the route width a distance of 1500 feet south of the Alternative 213 alignment between Impala Avenue and Redwood County Road 6 to allow for a possible buffer for the Sheridan WMA.

The motion failed to pass 1–4, with Commissioners Sullivan, Ham, Partridge, and Chair Sieben opposed.

Commissioner Tuma moved that the Commission approve the following:

Add to the Staff Recommended Route alternative 212 modified so that the alignment of alternative 212 is on the south side of Minnesota Highway 68.

The motion passed 5–0.

Commissioner Tuma moved that the Commission add alternative 237 to the Staff Recommended Route.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

1. For the purpose of identifying an alternative alignment within the expanded route width below that reduces environmental, cultural, historical and human impacts, the Permittee shall coordinate with the Lower Sioux Indian Community (particularly their leaders responsible for tribal historic preservation, land management and natural resources), the affected Townships, BWSR (particularly those responsible for managing conservation easements in this area), DNR and the affected landowners. The Permittee shall file with the Commission the results of the coordination and any modifications to the transmission line alignment that have been mutually agreed to within the expanded route width.

The route width along the Modified Blue Route and Alternative AA1 between Franklin and where the Modified Blue Route crosses Porter Avenue is expanded as follows:

From State Highway 19 South across the river valley the route width is extended east from the Modified Blue Route alignment an additional 2500 feet (this is intended to encompass the alternatives recommended by Mark Hogan in his November 25, 2024 comments);

To the east of Ranch Avenue, the route width is extended south from the Modified Blue Route alignment an additional 3500 feet; and To the east of Porter Avenue, the route width is expanded to include all of the property owned by Cletus Gewerth and the residence east of Porter Avenue.

In the coordination described above, the Permittee shall also address and consider possible triple circuiting with the existing 69 KV line or lower H-frame structures if there is consensus that doing so will mitigate impacts.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

Given the congestion and potential for viable alternative routes south, the approved route width in the area at the corner of the Modified Blue Route and Co. Rd. 7 shall be expanded 1000 feet.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

1. Authorize a 150-foot route width for the Green Route and a 1,000-foot route width for the remainder of the route including the expanded route widths identified in the Expanded Route Width Areas Table under the Staff Discussion section of these briefing papers.
2. Adopt the following special permit conditions:²
 - a. The Permittee is required to coordinate with the Lower Sioux Indian Community (Lower Sioux) and Bois Forte Band of Chippewa (Bois Forte) during preconstruction and construction activities that are within a buffer of 250 yards of known historical and culturally sensitive areas including, but not limited to, Site 21RW0001, and sites near the Minnesota River. Coordination efforts must include, but are not limited to, Tribal construction monitors. The Permittee must file a preconstruction filing at least 14 days prior to the preconstruction meeting describing the coordination that occurred between the Xcel Energy and the Lower Sioux and Bois Forte. Xcel Energy must also describe the mitigation and routing strategies taken to avoid impacting the culturally sensitive areas.
 - b. P2
 - c. P5
 - d. P6
 - e. P7
 - f. P8
 - g. P9
 - h. P11-P17 with the following modifications:
 1. P17 is modified to require filing of a decommissioning plan or explanation of why such a plan is not appropriate;
 2. P13 is modified to require use of “appropriate structures” [replacing wider, shallower structures]; and
 3. P11 is modified to strike “potential mitigation required for.”
 - i. P18

² See Table 1 of Appendix D of staff briefing papers filed on March 31, 2025.

3. Authorize Commission staff to modify the route permit and ALJ Report to correct typographic and formatting errors and ensure agreement with the Commission's final order in the matter, as necessary.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

Irrigation. Amend permit section 5.4.1 regarding grounding to require the Permittee to provide education materials on appropriate grounding of structures and operation of equipment near the powerline to all landowners with permanent metal structures and irrigation systems within 75 feet of the alignment. Content of the educational materials shall be developed in the Agricultural Impact Mitigation Plan and must include contact information for a representative of the Permittee who will work with landowners to address and rectify any induced current problems that arise because of transmission line operation at the Permittee's expense.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

Co-locate. Xcel Energy shall coordinate with distribution owners to relocate existing distribution lines where those lines would be in conflict with the Project's alignment and where technically feasible and where doing so will mitigate impacts on residences or irrigated fields, the Permittee shall work with local power companies to co-locate the local power company distribution structures on the Permittee's structures.

The motion passed 5–0.

Commissioner Tuma moved that the Commission approve the following:

1. **135th St. in Stearns Co.:** At the intersection of 108th Ave. and 135th St. in Stearns County the Modified Blue Route alignment should cross over to the south Side of 135th St. where it proceeds West. The purpose of the alignment is to mitigate the impact on the property owned by Tom Libbesmeier; and
2. **Stearns County Road 7:** If a route is selected along Stearns County Road 7 the alignment shall be modified to cross over the road to the opposite sides of homesteads and the daycare along that section of the route.

The motion passed 5–0.

Commissioner Tuma moved that the Commission amend permit paragraph 5.1 regarding the route permit distribution to landowners to require the Permittee to provide to landowners contact information for the following:

- a. the specific land agents of the Permittee who will be working with the specific landowners; and
- b. the senior land agent of the Permittee.

The motion passed 5–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: October 8, 2025

A handwritten signature in black ink, appearing to read "Sasha Bergman", with a long horizontal flourish extending to the right.

Sasha Bergman, Executive Secretary