

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

Chair
Commissioner
Commissioner
Commissioner
Commissioner

Jim Atkinson
Environmental and Real Estate Manager
Minnesota Power
30 West Superior Street
Duluth, MN, 55802

SERVICE DATE: December 14, 2021

DOCKET NO. E-015/TL-21-141

In the Matter of the Application of Minnesota Power for a HVTL Route Permit for the Duluth Loop Reliability Project in St. Louis County

The above entitled matter has been considered by the Commission and the following disposition made:

- 1. Accepted the HVTL Route Permit Applications for the Duluth Loop Reliability Project as substantially complete.**
- 2. The Commission will take no action on an advisory task force at this time.**
- 3. The Commission requests a full ALJ report with recommendations for the project's public hearing.**

This decision is issued by the Commission's consent calendar subcommittee, under a delegation of authority granted under Minn. Stat. § 216A.03, subd. 8 (a). Unless a party, a participant, or a Commissioner files an objection to this decision within ten days of receiving it, it will become the Order of the full Commission under Minn. Stat. § 216A.03, subd. 8 (b).

The Commission agrees with and adopts the recommendations of the Department of Commerce, which are attached and hereby incorporated into the Order. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Will Seuffert
Executive Secretary



To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.



November 12, 2021

Mr. Will Seuffert
Executive Secretary
Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

RE: **Comments and Recommendations on Application Acceptance**
Minnesota Power Duluth Loop Reliability Project
Docket No. PUC Docket Numbers: E015/CN-21-140 and E015/ TL-21-141

Dear Mr. Seuffert:

Attached are the comments and recommendations of the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff on application acceptance in the following matter:

The Application of Minnesota Power for a HVTL Route Permit for the Duluth Loop Reliability Project in St. Louis County

On October 21, 2021, Minnesota Power (Applicant) submitted a high voltage transmission line (HVTL) route permit application to the Minnesota Public Utilities Commission under the alternative review process (Minnesota Statute 216E.04; Minnesota Rule 7850.2800-3900) for the Duluth Loop Reliability Project.

Contact for the project is:

Jim Atkinson
Environmental and Real Estate Manager
Minnesota Power
30 West Superior Street
Duluth, MN 55802
(218) 355-3561
jbatkinson@allete.com

EERA staff recommends the Minnesota Public Utilities Commission (Commission) accept the HVTL route permit application for the proposed project as complete and take no action on an advisory task force. Staff also recommends the Commission request the ALJ provide findings of fact, conclusions of law, and recommendations regarding the site and route permit applications (summary proceeding).

Sincerely,

William Cole Storm
Environmental Review Manager



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Energy Environmental Review and Analysis Comments and Recommendations

In the Matter of the Minnesota Power for a HVTL Route Permit for the Duluth Loop Reliability Project in St. Louis County Docket No. E015/CN-21-140 and E015/TL-21-141

Date: November 12, 2021

Staff: William Cole Storm | bill.storm@state.mn.us | 651-539-1844

Issues Addressed:

These comments and recommendations address the completeness of the HVTL Route Permit Application submitted for the project, whether there is a need for an advisory task force, if there are any potential disputed issues, and a recommendation on the review process.

Figures and Tables:

Figure 1: Project Overview Map

Table 1: Process Timing and Milestones

Table 2: Application Completeness Checklist

Additional documents and information can be found on eDockets <https://www.edockets.state.mn.us/EFiling/search.jsp> (year="21" and either number "140" or "141")

This document can be made available in alternative formats, i.e., large print or audio tape by calling 651-539-1530.

Introduction and Background

On October 21, 2021, Minnesota Power (Applicant) submitted a Certificate of Need (CN) Application and a high voltage transmission line (HVTL) Route Permit Application (RPA) to the Minnesota Public Utilities Commission (Commission). The RPA is submitted under the alternative review process (Minnesota Statute 216E.04; Minnesota Rule 7850.2800-3900).

Project Purpose and Description

The stated purpose for the Duluth Loop Project is to replace the system support once provided by coal-fired baseload generators located along Minnesota's North Shore by addressing severe voltage stability

concerns, relieving transmission line overloads, and enhancing the reliability of Duluth-area transmission sources.¹

The RPA continues, noting that the transmission system in the Duluth area has historically been supported by several coal-fired baseload generators located along Minnesota’s North Shore, which have for decades contributed to the reliability of the transmission system by delivering power to the local area and providing system support. The applicant indicates that the transition away from reliance on coal to increasingly lower carbon sources of energy, has led to an increased reliance on the transmission system to deliver replacement power and system support to the Duluth area and along the North Shore.²

Minnesota Power believes in order to maintain a continuous supply of safe and reliable electricity while replacing the support once provided by these local coal-fired generators, the Duluth area transmission system must be upgraded. To accomplish this, Minnesota Power is proposing that the transmission system in the area be reconstructed, reconfigured, and improved to enhance system stability and reliability.³

The Duluth Loop Project includes: (1) construction of about 14 miles of new 115 kV transmission line between the Ridgeview, Haines Road, and Hilltop Substations; (2) construction of a new approximately one-mile extension connecting an existing 230 kV transmission line to the Arrowhead Substation; (3) upgrades to the Ridgeview, Hilltop, Haines Road, and Arrowhead substations; and (4) reconfiguration, rebuild, and upgrade to existing transmission lines and communications infrastructure in the Project area (**Figure 1**).⁴

Regulatory Process and Procedures (Certificate of Need)

A CN is required for all “large energy facilities,”⁵ unless the facility falls within a statutory exemption from the CN requirements. Through the CN proceedings the applicant must demonstrate using a number of factors prescribed in the rules that the proposed facility is in the best interest of the state’s citizens. The applicant must also demonstrate there is not a more prudent and reasonable way than the proposed project to provide the stated goals.

The Duluth Loop Project’s transmission lines each meet the definition of a large energy facility and are without an exemption, thus, the granting of a CN is required prior to issuance of a HVTL Route Permit.

A portion of the combined application filed by Minnesota Power on October 21, 2021, is intended to satisfy the informational requirements contained in Minnesota Rule 7849.0220 in the consideration of a CN for the Duluth Loop Reliability Project.⁶

The Commission must determine if an application for a CN is complete; the Commission must notify the applicant within 30 days of the receipt of an application if the application is not substantially complete.

¹ Minnesota Power Duluth Loop Combined Application, p. 1-1. October 21, 2021. eDocket No. 202110-179004.

² Ibid.

³ Ibid.

⁴ Minnesota Power Duluth Loop Combined Application, p. 2-1. October 21, 2021. eDocket No. 202110-179004.

⁵ Minn. Stat. 216B.243, subd. 2; Minn. Stat. 216B.2421, subd. 2(1 and 2).

⁶ Minnesota Power Duluth Loop Combined Application, Appendix A. October 21, 2021. eDocket No. 202110-179004.

On notification, the applicant may correct any deficiency and may resubmit the application. If the revised application is substantially complete, the date of its submission is considered the application date.⁷ In addition to deciding if the application is complete, the Commission will typically determine the type of hearing (contested case or informal) to be used. Once the application is determined to be complete, the Minnesota Department of Commerce (Department) will initiate the environmental review process.

Environmental Review

CN applications are subject to environmental review; in such a proceeding EERA staff must prepare an environmental report (ER) for the project.⁸ The report contains “*information on the human and environmental impacts of the [project] associated with the size, type, and timing of the project, system configurations, and voltage.*”⁹ The ER also contains information on alternatives to the project, as well as mitigation measures.

If an applicant for a CN applies for a HVTL route permit concurrently, or prior to scoping, EERA may elect to prepare an environmental Assessment (EA) in lieu of an environmental report. If so, the EA must include the content required by Minnesota Rule 7849.1500.

Public Hearing

If it is determined that a contested case is not warranted, then the Commission will initiate an informal process. This informal process will include at least one public hearing that may be overseen by an Administrative Law Judge (ALJ) from the Office of Administrative Hearings (OAH). At the conclusion of this informal process the ALJ will produce a report.

A contested case hearing is warranted if there are disputed issues of material fact; in such a case, the Commission must request an ALJ from the OAH. The duties of the ALJ during these proceedings are described in Minnesota Rule 1400.5500. Once the OAH assigns an ALJ for a contested case hearing the parties will first meet at a pre-hearing conference. At this prehearing conference, the parties will discuss procedural issues including an intervention deadline for requesting formal party status, discovery, locations of public and evidentiary hearings and a schedule for a hearing.

At the conclusion of the evidentiary hearing, public hearing, and comment period the ALJ produces a report.

If the HVTL route permitting process and CN determination are proceeding concurrently, the Commission may order that a joint hearing be held to consider both routing and need.¹⁰

Final Decision

The Commission has 12 months to approve or deny a certificate of need from the date the application is filed.¹¹

⁷ Minn. R. 7849.0200, subp. 5.

⁸ Minn. R. 7849.1200.

⁹ *Ibid.*

¹⁰ Minn. Stat. 216B.243, subd. 4 (stating that unless a joint hearing is not feasible or more efficient, or otherwise not in the public interest, a joint hearing shall be held).

¹¹ Minn. Stat. 216B.243, subd. 5; Application at page 4 (the applicant anticipates the site permit decision to be made in summer 2020).

Regulatory Process and Procedures (HVTL Route Permit)

The Duluth Loop Reliability Project requires a HVTL route permit from the Commission;¹² the Project qualifies for review under the alternative permitting process authorized by Minnesota Statutes § 216E.04, subd. 2(3) and Minnesota Rules 7850.2800, Subp. 1(C) because the 115 kV portion of the Project is a high voltage transmission line between 100 and 200 kV and the 230 kV portion of the Project is less than five miles in length.

Applicants must provide the commission with written notice of their intent to file an application under the alternative permitting process,¹³ which was provided on March 22, 2021.¹⁴

Application and Acceptance

Route permit applications must provide specific information.¹⁵ This includes, but is not limited to, information about the applicant, descriptions of the project and site, and discussion of potential human and environmental impacts and possible mitigation measures.¹⁶ Under the alternative permitting process an applicant is not required to propose alternative sites or routes; however, if alternatives were evaluated and rejected, the application must describe these and the reasons for rejecting them.¹⁷

Upon receiving a HVTL route permit application, the Commission may accept it as complete, reject it and advise the applicant of its deficiencies, or accept it as complete but require the applicant submit additional information.¹⁸

Once the Commission determines an application is complete, the formal environmental review process can begin.

Public Advisor

Upon acceptance of a route permit application the Commission must designate a public advisor.¹⁹ The public advisor answers questions about the permitting process but cannot provide legal advice or act as an advocate for any person.

Advisory Task Force

The Commission may appoint an advisory task force to aid in the environmental review process.²⁰ An advisory task force would assist EERA staff in identifying additional routes or particular impacts to evaluate in the EA prepared for the project.²¹ If appointed, an advisory task force must include certain local

¹² Minn. Stat. 216E.03, subd. 1 and 2.

¹³ Minn. R. 7850.2800, subp. 2.

¹⁴ Minnesota Power, Notice of Intent to File Site and Route Permits Under the Alternative Process, August 18, 2021. eDocket No. 20218-177245-01.

¹⁵ Minn. Stat. 216E.04, subd. 3; Minn. R. 7850.3100.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Minn. R. 7850.3200.

¹⁹ Minn. R. 7850.3400.

²⁰ Minn. Stat. 216E.08, subd. 1; Minn. R. 7850.3600, subp. 1.

²¹ Minn. R. 7850.2400, subp 3.

government representatives.²² The advisory task force expires upon completion of its charge or issuance of the scoping decision.²³

Appointment of an advisory task force is not required at the time of *Application Acceptance*; in the event no advisory task force is appointed citizens may request one be created.²⁴ If such a request is made, the commission must make this determination at its next scheduled agenda meeting.²⁵

The decision whether to appoint an advisory task force, does not need to be made at this time; however, a decision should be made as soon as practicable to ensure an advisory task force could complete its charge prior to issuance of the scoping decision.

Environmental Review

Route permit applications are also subject to environmental review. The alternative permitting process requires completion of an EA, which is prepared by EERA staff.²⁶ An EA contains an overview of the resources affected by the project and discusses potential human and environmental impacts and mitigation measures.²⁷ Under the alternative permitting process an EA is the only required state environmental review document.²⁸

EERA conducts necessary public scoping meetings in conjunction with a public comment period to inform the content of the EA (i.e., Scoping).²⁹ The commissioner of the Department or a designee determines the scope of the EA,³⁰ and may include alternative routes suggested during the scoping process if they would aid the Commission in making a permit decision.³¹

Public Hearing

The alternative permitting process requires a public hearing be held in the project area upon completion of the EA³² in accordance with the procedures outlined in Minnesota Rule 7850.3800, subpart 3.

The hearing is typically presided over by an ALJ from the OAH. The Commission may request that the ALJ provide solely a summary of public testimony. Alternately, the Commission may request that the ALJ provide a full report with findings of fact, conclusions of law, and recommendations regarding the project. (This hearing is not a contested case hearing and is not conducted under OAH Rule 1405.)

EERA staff recommends that the Commission request a full ALJ report for the project's public hearing. EERA staff believes that a full ALJ report with recommendations provides an unbiased, efficient, and transparent method to air and resolve any issues that may emerge as the record is developed. Requiring a full ALJ report reduces the burden on Commission staff and helps to ensure that the Commission has a

²² Minn. Stat. 216E.08, subd. 1.

²³ Minn. R. 7850.2400, subp. 4.

²⁴ Minn. R. 7850.2400, at subp. 2.

²⁵ *Ibid.*

²⁶ Minn. Stat. 216E.04, subd. 5; Minn. R. 7850.3700, subp. 1.

²⁷ Minn. Stat. 216E.04, subd. 5; Minn. R. 7850.3700, subp. 4.

²⁸ Minn. Stat. 216E.04, subd. 5.

²⁹ Minn. R. 7850.3700, subp. 2.

³⁰ *Id.* at subp. 3.

³¹ *Id.* at subp. 2.

³² Minn. R. 7850.3800, subp. 1.

robust record on which to base its decision. Additionally, a full ALJ report does not significantly lengthen the site permitting process. EERA staff has provided a draft schedule concept for the Duluth Loop project permitting process, which includes a comparison of potential hearing work products and schedules – i.e. a summary of public testimony vs. a full ALJ report with findings, conclusions, and recommendations. **Table 1** provides a hypothetical comparison of schedules between the two processes.³³

Final Decision

The Commission is required to make a HVTL route permit decision within six months from the date an application is accepted.³⁴ This time limit may be extended up to three months for just cause or upon agreement of the applicant.³⁵

EERA Staff Comments

EERA provides technical expertise and assistance to the Commission.³⁶ EERA and the Commission work cooperatively, but function independently to meet their respective statutory responsibilities.

Application Completeness

EERA staff has reviewed and provided comments to the Applicant on a *DRAFT RPA* prior to the October 21, 2021, submittal date. Generally, EERA staff consults with applicants during the preparation of a draft application. In this case, staff made a number of comments on the draft document. Staff has subsequently fully evaluated the submitted HVTL Route Permit Application against the application completeness requirements of Minnesota Rule 7850.3100 (see **Table 2. Application Completeness Checklist**).

Staff finds that the application contains appropriate and complete information with respect to these requirements, including descriptions of the proposed Project, potential environmental impacts and mitigation measures, and any federal, state, and local approvals that might be required for the Project.

EERA concludes that the Application meets the content requirements of Minnesota Rule 7850.3100 and is substantially complete. Application acceptance allows initiation of the public participation and environmental review processes. EERA requests that the Applicant continue to supply further information as necessary during preparation of the Environmental Assessment.

Contested Issues of Fact

At this time, staff is unaware of contested issues of fact with respect to the HVTL Route Permit Application.

Advisory Task Force

EERA staff has analyzed the merits of establishing an advisory task force for the Duluth Loop Reliability project. In analyzing the need for an advisory task force, EERA staff considered four characteristics: project size, project complexity, known or anticipated controversy, and sensitive resources.

³³ This schedule is provided for comparison purposes only. Selecting one process over the other does not mean the corresponding schedule applies.

³⁴ Minn. R. 7850.3900, subp. 1.

³⁵ *Ibid.*

³⁶ Minn. Stat. 216E.03, subd. 11.

- **Project Size.** The size of the project, in terms of length and voltage, would be considered moderate in comparison to recent projects that have come before the Commission. Additionally, the reconfiguration, rebuild, and upgrades to existing transmission lines will improve many aspects of the area's transmission system relative to the *factors considered* in Minnesota Rule 7850.4100.
- **Project Complexity.** The Duluth Loop Reliability Project does have many parts, including 14 miles of new 115 kV transmission line, approximately one mile of new 230 kV transmission line, improvements to several substations, and numerous reconfiguring, rebuilding, and upgrading to the existing transmission infrastructure. The multi-stage route development process employed by Minnesota Power appears to have adequately balanced the project area's routing opportunities and constraints, while also providing the opportunity to address the existing transmission and distribution system's issues that have developed with the area's growth.
- **Known or Anticipated Controversy.** To date, staff has not been contacted about the project, nor received comments on these dockets.

The public will have opportunities to raise concerns and issues during the scoping process. As it has previously, EERA will assist citizens and governmental units in understanding the environmental review process and how to best identify issues to be addressed and considered in the EA.

Significant opposition to the Project is not anticipated.

- **Sensitive Resources.** The Project is located in St. Louis County, Minnesota within the North Shore Highlands Subsection of the Laurentian Mixed Forest Province. Pre-settlement vegetation consisted of pine, spruce, and birch forest. The environmental setting within the project area consists of open space, deciduous forest, and hydrologic features such as lakes, streams, rivers, and wetlands, with the topography ranging from flat to rolling hills with steep ravines along streams and rivers. Currently, the main activities include recreation, forestry, and tourism.

Typical land use within the project area consists of low density and rural residential, open, and public lands, and commercial property. Hermantown, Proctor and Duluth are the closest cities to and within the project area. Residences and business are located along most of the roads; residences are typically low density and rural residential with a house and nonresidential structure.

The two largest land use categories overlapped by the proposed right-of-way after *developed land* are *forested land* and *woody wetlands*: much of the project's 115 kV Route is proposed to be parallel or double circuit to existing transmission lines, which will reduce the amount of new right-of-way needed and subsequent clearing.

Potential impacts to sensitive ecological resources are anticipated to be minimal.

EERA staff will engage the public and local governments throughout the EA scoping process to identify and evaluate potential refinements (alternative route segments and alignment modifications) to the proposed project to be studied in the EA document.

Joint Processes (CN and Routing)

As summarized above, many of the components of the CN and Route permit processes (public information meetings, ER/EA scoping, the environmental review document, and hearings) can be joint ventures. While the timeline for the two regulatory review processes (CN vs Route Permit) differs (one year vs six-month, respectively) the preparation of an EA in lieu of an ER for a CN does not lengthen the permitting processes. Additionally, joint environmental review is more easily understood and efficient for the public, local governments, and state and federal agencies, particularly with regards to comment periods.

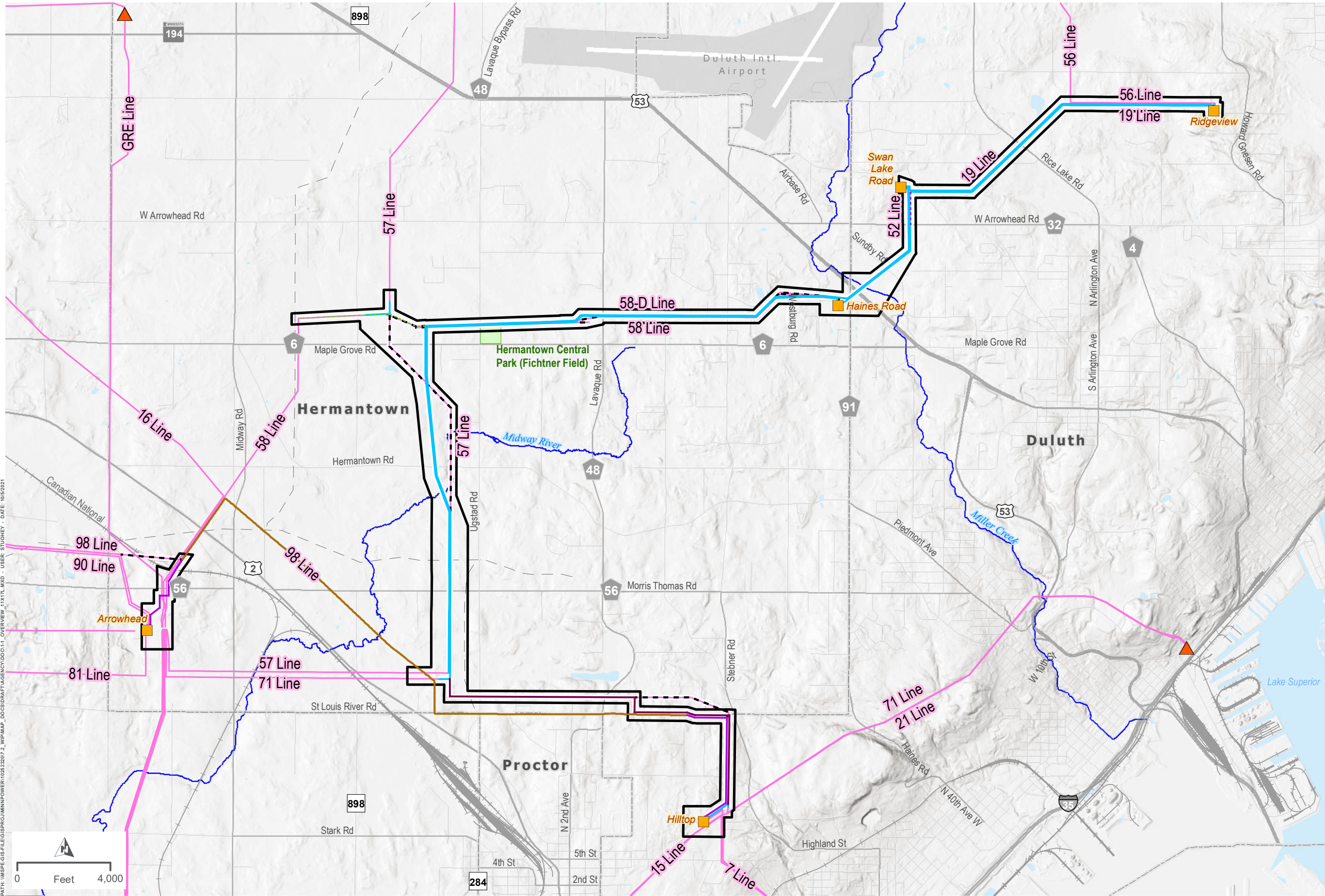
Minnesota Power has requested that the Commission order a joint regulatory review process for the Certificate of Need and Route Permit applications; stating that a joint hearing is feasible and more efficient than two separate proceedings and will further the public interest by having both need and routing issues to be examined in a singular proceeding.³⁷

EERA Staff Recommendation

EERA staff recommends that the Commission accept the HVTL Route Permit Applications for the Duluth Loop Reliability Project as substantially complete. EERA staff also recommends that the Commission take no action on an advisory task force at this time. Lastly, EERA recommends a full ALJ report with recommendations for the project's public hearing.

³⁷ Minnesota Power Duluth Loop Combined Application, p. 2-1. October 21, 2021. eDocket No. 202110-179004.

Figure 1. Project Overview Map



- LEGEND**
- Proposed Route
 - Project Substation
 - Non-Project Substation
 - Relocated Distribution
 - Project 115 kV Transmission Line(s) (Single Circuit)
 - Project 115 kV Transmission Line (Double Circuit)
 - Project 230 kV Transmission Line (Single Circuit)
 - Removed Transmission Line (Realigned)
 - Thermal Upgrades
 - New Underground Fiber
 - Existing Transmission Line
 - Existing Pipeline
 - Waterbody
 - Public Water Watercourse
 - Park
 - Airport
 - Railroad
 - City Boundary

PATH: \\MSPE-GIS-FILE\GIS\PROJ\MINPOWER\102822017_2_WIP\MAP_DOCS\DRIFTAGENCY\DOCS\1-1_OVERVIEW_11X17L.MXD - USER: STUOHEV - DATE: 10/6/2021



FIGURE 1

NOTE: ONLY EXISTING LINE LABELS ARE PROVIDED FOR REFERENCE. FOR FURTHER DEFINITION ON FINAL LINE CONFIGURATIONS AND DESIGNATIONS, SEE MAP 2-4 PROPOSED SYSTEM OVERVIEW OR APPENDIX K-3

DULUTH LOOP PROJECT OVERVIEW
DULUTH LOOP RELIABILITY PROJECT

Table 1. Process Timing and Tentative Schedule

Approximate Date	Project Day	Alternative Review Process Step	Responsible Party
March 22, 2021		10-day Notice	Applicant
April 20, 2021		Application Filed	Applicant
May 18, 2021		Application Completeness Comments	Agencies/Public
May 25, 2021		Reply Comments	Applicant/Public
TBD		Consideration of Application Acceptance	Commission
Acceptance through Environmental Assessment			
	0	Application Acceptance Order	Commission
		Public/Scoping Meeting Notice	EERA/Commission
	30	Public Information/Scoping Meeting	EERA/Commission
	45	Scoping Comment Period Closes	EERA
	60	Scoping Summary to Commission	EERA
	85	Commission Review of Alternatives	Commission
	95	Scoping Decision Issued	Commerce
	185	Environmental Assessment Issued	EERA
		Public Hearing Notice	Commission
Summary of Public Testimony*			
	200	Public Hearing	OAH
	215	Comment Period Closes	OAH
	220	ALJ Submits Transcript and Comments	OAH
	225	Draft Findings of Fact (FOF)	Applicant
	240	Comments on Draft FOF/Technical Analysis	EERA
		Response to Hearing Comments	Applicant
		ALJ Submits Summary Report	OAH
	270	Consideration of Route Permit Issuance	Commission
Full ALJ Report with Findings, Conclusions, and Recommendations			
	200	Public Hearing	OAH
	215	Comment Period Closes	OAH
	220	ALJ Submits Transcript and Comments	OAH

	225	Draft FOF	Applicant
	240	Comments on Draft FOF/Technical Analysis	EERA
		Response to Hearing Comments	Applicant
	270	ALJ Issues FOF and Recommendation	OAH
	285	Exceptions to ALJ Report	EERA/Applicant
	315	Consideration of Route Permit Issuance	Commission

*** A Summary of Public Testimony includes:**

- The hearing process consists of a public hearing (or multiple hearings depending on the project) and one comment period (closing at least 10 days after the last public hearing).
- An ALJ presides over the public hearing.
- ALJ provides a summary of the public hearing and comments only.
- Applicant provides proposed findings of fact, conclusions and a recommendation.
- EERA responds to comments on the EA; provide technical analysis; and responds to the applicant proposed findings.
- No exception period is provided.

****A Full ALJ Report with Findings, Conclusions and Recommendations includes:**

- The hearing process is identical to the summary report process.
- An ALJ presides over the public hearing.
- Applicant provides proposed findings of fact, conclusions and a recommendation.
- EERA responds to comments on the EA; provides technical analysis; and responds to the applicant's proposed findings.
- The ALJ provides a summary and findings of fact, conclusions and recommendations on alternatives and permit conditions
- An exception period pursuant to Minnesota Rule 7829.2700 is provided.

Table 2. Application Completeness Checklist

Authority	Required Information	Location in Application
Minn. Stat. § 216E.04, subds.2(3), 2(4) Minn. R. 7850.2800, subp. 1(C), 1(D)	Alternative Review of Applications. Alternativereview is available for high voltage transmissionlines of between 100 and 200 kV and for high voltage transmission lines in excess of 200 kV and less than 5 miles in length.	§ 2.1 (Project Description)
Minn. Stat. § 216E.04, subd. 4	Notice of application. Upon submission of an application under this section, the applicant shall provide the same notice as required by section 216E.03, subdivision 4.	To be provided
Minn. R. 7850.2800, subp. 2	Notice to PUC. An applicant for a permit for one of the qualifying projects in subpart 1, who intendsto follow the procedures of parts 7850.2800 to 7850.3700, shall notify the PUC of such intent, in writing, at least ten days before submitting an application for the project.	Appendix G
Minn. R. 7850.3100	Contents of Application (Alternative Review). The applicant shall include in the application the same information required in part 7850.1900, except the applicant need not propose any alternative sites or routes to the preferred site or route. If the applicant has rejected alternative sitesor routes, the applicant shall include in the application the identity of the rejected sites or routes and an explanation of the reasons for rejecting them.	See § 5.4
Minn. R. 7850.1900, subp. 2	Route permit for HVTL. An application for a route permit for a high voltage transmission line shall contain the following information:	
	A. a statement of proposed ownership of the facility at the time of filing the application andafter commercial operation;	§ 1.1
	B. the precise name of any person or organizationto be initially named as permittee or permittees and the name of any other person to whom the permit may be transferred if transfer of the permitis contemplated;	§ 1.1
	C. at least two proposed routes for the proposed high voltage transmission line and identification of	§§ 5.2, 5.3, 5.4

Authority	Required Information	Location in Application
	the applicant's preferred route and the reasons for the preference;	
	D. a description of the proposed high voltage transmission line and all associated facilities including the size and type of the high voltage transmission line;	§ 2.1
	E. the environmental information required under subpart 3;	Chapter 7
	F. identification of land uses and environmental conditions along the proposed routes;	§§ 7.1, 7.6
	G. the names of each owner whose property is within any of the proposed routes for the high voltage transmission line;	Appendix O
	H. United States Geological Survey topographical maps or other maps acceptable to the commission showing the entire length of the high voltage transmission line on all proposed routes;	Appendix J
	I. identification of existing utility and public rights-of-way along or parallel to the proposed routes that have the potential to share the right-of-way with the proposed line;	§§ 5.1, 5.2, 5.3, 6.1
	J. the engineering and operational design concepts for the proposed high voltage transmission line, including information on the electric and magnetic fields of the transmission line;	§§ 2.1, 6.5
	K. cost analysis of each route, including the costs of constructing, operating, and maintaining the high voltage transmission line that are dependent on design and route;	§ 2.2
	L. a description of possible design options to accommodate expansion of the high voltage transmission line in the future;	§ 2.1
	M. the procedures and practices proposed for the acquisition and restoration of the right-of-way, construction, and maintenance of the high voltage transmission line;	§§ 6.1, 6.2, 6.3, 6.4
	N. a listing and brief description of federal, state, and local permits that may be required for the proposed high voltage transmission line; and	Chapter 9

Authority	Required Information	Location in Application
	O. a copy of the Certificate of Need or the certified HVTL list containing the proposed high voltage transmission line or documentation that an application for a Certificate of Need has been submitted or is not required.	This Joint Certificate of Need and Route Permit Application
Minn. R. 7850.3100	Identification of rejected route alternatives and explanation for rejection.	§ 5.4
Minn. R. 7850.1900, subp. 3	Environmental information. An applicant for a site permit or a route permit shall include in the application the following environmental information for each proposed site or route to aid in the preparation of an environmental impact statement:	
	A. a description of the environmental setting for each site or route;	§ 7.1
	B. a description of the effects of construction and operation of the facility on human settlement, including, but not limited to, public health and safety, displacement, noise, aesthetics, socioeconomic impacts, cultural values, recreation, and public services;	§ 7.2
	C. a description of the effects of the facility on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;	§ 7.3
	D. a description of the effects of the facility on archaeological and historic resources;	§ 7.4
	E. a description of the effects of the facility on the natural environment, including effects on air and water quality resources and flora and fauna;	§ 7.5
	F. a description of the effects of the facility on rare and unique natural resources;	§ 7.7
	G. identification of human and natural environmental effects that cannot be avoided if the facility is approved at a specific site or route; and	Chapter 7
	H. a description of measures that might be implemented to mitigate the potential human and environmental impacts identified in items A to G and the estimated costs of such mitigative measures.	Chapter 7

Authority	Required Information	Location in Application
Minn. R. 7850.2100, subp. 4	Publication of notice. Within 15 days after submission of an application, the applicant shall publish notice in a legal newspaper of general circulation in each county in which a site, route, or any alternative is proposed to be located that an application has been submitted and a description of the proposed project. The notice must also state where a copy of the application may be reviewed.	To be published after filing
Minn. R. 7850.3300 Minn. R. 7850.2100, subp. 2	Notice of Project. Notification to persons on PUC's general list, to local officials, and to property owners. Content of notice governed by Minn. R. 7850.2100, subp. 3.	To be provided after filing
Minn. R. 7850.2100, subp. 5	Confirmation of notice. Within 30 days after providing the requisite notice, the applicant shall submit to the PUC documentation that all notices required under this part have been given. The applicant shall document the giving of the notice by providing the PUC with affidavits of publication or mailing and copies of the notice provided.	Will file once completed
Minn. R. 7850.4100	Factors Considered. In determining whether to issue a permit for a large electric power generating plant or a high voltage transmission line, the commission shall consider the following:	
	A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;	§ 7.2
	B. effects on public health and safety;	§ 7.2
	C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;	§ 7.3
	D. effects on archaeological and historic resources;	§ 7.4
	E. effects on the natural environment, including effects on air and water quality resources and flora and fauna;	§ 7.5
	F. effects on rare and unique natural resources;	§ 7.7

Authority	Required Information	Location in Application
	G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;	§ 2.1, Chapter 7
	H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;	§§ 5.1, 5.2, 5.3
	I. use of existing large electric power generating plant sites;	Not applicable
	J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;	§§ 5.1, 5.2, 5.3, 6.1
	K. electrical system reliability;	Chapter 3
	L. costs of constructing, operating, and maintaining the facility which are dependent on design and route;	§ 2.2
	M. adverse human and natural environmental effects which cannot be avoided; and	Chapter 7
	N. irreversible and irretrievable commitments of resources.	§ 7.9
Minn. R. 7850.4300, subs. 1, 2	<p>Wilderness areas. No high voltage transmission line may be routed through state or national wilderness areas.</p> <p>Parks and natural areas. No high voltage transmission line may be routed through state or national parks or state scientific and natural areas unless the transmission line would not materially damage or impair the purpose for which the area was designated and no feasible and prudent alternative exists. Economic considerations alone do not justify use of these areas for a high voltage transmission line.</p>	No wilderness areas or parks are crossed

Authority	Required Information	Location in Application
Minn. Stat. § 216E.03, subd. 7 (applicable per § 216E.04, subd. 8)	Considerations in designating sites and routes. a) The commission's site and route permit determinations must be guided by the state's goal 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. b) To facilitate the study, research, evaluation, and designation of sites and routes, the commission shall be guided by, but not limited to, the following considerations:	
	(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 minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;	Chapter 7
	(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;	§ 2.1, Chapter 7
	(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;	Not applicable
	(4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;	Not applicable

Authority	Required Information	Location in Application
	(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;	§ 7.3
	(6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;	Chapter 7
	(7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;	Chapter 5
	(8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;	§§ 5.1, 5.2, 5.3, Chapter 7
	(9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;	§ 5.1
	(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;	§ 2.1
	(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and	§ 7.9
	(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.	Chapter 8

CERTIFICATE OF SERVICE

I, Robin Benson, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

Minnesota Public Utilities Commission ORDER

Docket Number: **E-015/TL-21-141**

Dated this **14th** day of **December, 2021**

/s/ Robin Benson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Jay	Arntson	jayarntson@gmail.com	-	5529 Morris Thomas Rd Hermantown, MN 55810	Electronic Service	No	OFF_SL_21-141_21-141
Jim	Atkinson	jbatkinson@allete.com	Minnesota Power	30 West Superior Street Duluth, MN 55802	Electronic Service	No	OFF_SL_21-141_21-141
Katherine	Becker	Katherine.becker@slhduluth.com	St. Luke's	915 East First St Duluth, MN 55805	Electronic Service	No	OFF_SL_21-141_21-141
Teri	Benton	N/A		303 Thurber Road Duluth, MN 55803	Paper Service	No	OFF_SL_21-141_21-141
James J.	Bertrand	james.bertrand@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-141_21-141
Jim and Mary	Bianchi	beeonkey@gmail.com	-	5359 Hermantown Rd Hermantown, MN 55810	Electronic Service	No	OFF_SL_21-141_21-141
David	Birkholz	david.birkholz@state.mn.us	MN Department of Commerce	Suite 500 85 7th Place East St. Paul, MN 551012198	Electronic Service	No	OFF_SL_21-141_21-141
Michelle F.	Bissonnette	michelle.bissonnette@hdrinc.com	HDR Engineering, Inc.	Golden Hills Office Center 701 Xenia Ave S Ste 600 Minneapolis, MN 55416	Electronic Service	No	OFF_SL_21-141_21-141
Mike	Boeselaer	Michael.boeselager@slhduluth.com	St. Luke's	915 East First St Duluth, MN 55805	Electronic Service	No	OFF_SL_21-141_21-141
B. Andrew	Brown	brown.andrew@dorsey.com	Dorsey & Whitney LLP	Suite 1500 50 South Sixth Street Minneapolis, MN 554021498	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	200 S 6th St Ste 4000 Minneapolis, MN 554021425	Electronic Service	No	OFF_SL_21-141_21-141
PUC	CAO	consumer.puc@state.mn.us	Public Utilities Commission	Consumer Affairs Office 121 7th Place E Suite 350 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-141_21-141
Bill	Cook	bcook@rupu.org	Rochester Public Utilities	4000 East River Road NE Rochester, MN 55906	Electronic Service	No	OFF_SL_21-141_21-141
John	Crane	johncranefishing@gmail.com	Fishing	1250 Wee Gwaus DR SW Bemidji, MN 56601	Electronic Service	No	OFF_SL_21-141_21-141
George	Crocker	gwillc@nawo.org	North American Water Office	PO Box 174 Lake Elmo, MN 55042	Electronic Service	No	OFF_SL_21-141_21-141
Thomas	Davis	atdavis1972@outlook.com	-	1161 50th Ave Sherburn, MN 56171	Electronic Service	No	OFF_SL_21-141_21-141
Patricia	DeBleekere	tricia.debleeckere@state.mn.us	Public Utilities Commission	121 7th PI E St 350 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
John E.	Drawz	jdrawz@fredlaw.com	Fredrikson & Byron, P.A.	Suite 4000 200 South Sixth Street Minneapolis, MN 554021425	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Cory	Dutcher	cory.dutcher@ge.com	GE Power and Water	1 River Rd. Bldg. 37-413 Schenectady, NY 12345	Electronic Service	No	OFF_SL_21-141_21-141
Kristen	Eide Tollefson	healingsystems69@gmail.com	R-CURE	28477 N Lake Ave Frontenac, MN 55026-1044	Electronic Service	No	OFF_SL_21-141_21-141
Scott	Ek	scott.ek@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
Pamela	Elstad	N/A		6197 Monger Shaw Road Saginaw, MN 55779	Paper Service	No	OFF_SL_21-141_21-141
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources	Box 32 500 Lafayette Rd St. Paul, MN 551554032	Electronic Service	No	OFF_SL_21-141_21-141
Annie	Felix Gerth	annie.felix-gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_21-141_21-141
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-141_21-141
Karen A	Gebhardt	kageb1@gvtel.com		43901 253rd Ave Leonard, MN 56652-4026	Electronic Service	No	OFF_SL_21-141_21-141
Larry	Hartman	Larry.Hartman@state.mn.us	Department of Commerce	85 7th Place East, Suite 280 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Valerie	Herring	vherring@taftlaw.com	Taft Stettinius & Hollister LLP	2200 IDS Center 80 S. Eighth Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-141_21-141
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Bldg St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
Jeremy	Johnson	johnson5520@gmail.com	-	5104 Sheridan Dr Hermantown, MN 55810	Electronic Service	No	OFF_SL_21-141_21-141
Scott	Johnson	Scott.Johnson@ci.medina.mn.us	City of Medina	2052 County Road 24 Medina, MN 55340-9790	Electronic Service	No	OFF_SL_21-141_21-141
STACY	KOTCH EGSTAD	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd. St. Paul, MN 55155	Electronic Service	No	OFF_SL_21-141_21-141
Michael	Kaluzniak	mike.kaluzniak@state.mn.us	Public Utilities Commission	Suite 350 121 Seventh Place East St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
Tom	Karas	tomskaras@gmail.com		3171 309th Ave NW Cambridge, MN 55008	Electronic Service	No	OFF_SL_21-141_21-141
Patrick	Keenan	pkeenand@umn.edu	-	2220 Norton Rd Duluth, MN 55802	Electronic Service	No	OFF_SL_21-141_21-141
Adam	Kienberger	adam.kienberger@ci.rosemount.mn.us	City of Rosemount	2875 145th St W Rosemount, MN 55068	Electronic Service	No	OFF_SL_21-141_21-141
Bruce	King	bruce@ranww.org	Realtors, Association of Northwestern WI	Suite 3 1903 Keith Street Eau Claire, WI 54701	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-141_21-141
Chris	Kopel	chrisk@CMPASgroup.org	Central Minnesota Municipal Power Agency	459 S Grove St Blue Earth, MN 56013-2629	Electronic Service	No	OFF_SL_21-141_21-141
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_21-141_21-141
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-141_21-141
David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022093	Electronic Service	Yes	OFF_SL_21-141_21-141
Sergio	Moloczij	smoloczij@homfurniture.com	HOM Furniture, Gabberts, Dock86	N/A	Electronic Service	No	OFF_SL_21-141_21-141
Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP	33 South Sixth St Ste 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-141_21-141
Colleen	Mueller	N/A		22186 State Hwy 4 Paynesville, MN 56362	Paper Service	No	OFF_SL_21-141_21-141
Lisa and Rob	Neitzel	lisaneitzel@gmail.com		5101 Sheridan Drive Hermantown, MN 55810	Electronic Service	No	OFF_SL_21-141_21-141
Dan	Nelson	Dan.Nelson@ISGinc.com	I&S Group	115 E Hickory St Ste 300 Mankato, MN 56001	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Carol A.	Overland	overland@legalectric.org	Legaelectric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_21-141_21-141
Kevin	Peterson	kjp@ibew160.org	IBEW Local 160	1109 Northway Lane NE Rochester, MN 55906	Electronic Service	No	OFF_SL_21-141_21-141
Angela	Piner	angela.piner@hdrinc.com	HDR, Inc.	Suite 600 701 Xenia Avenue South Suite 600 Minneapolis, MN 55416	Electronic Service	No	OFF_SL_21-141_21-141
Larry	Rebman	larryemls@hotmail.com	EMLS, Inc	PO Box 122 Appleton, MN 56208	Electronic Service	No	OFF_SL_21-141_21-141
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-141_21-141
Margaret	Rheude	Margaret_Rheude@fws.gov	U.S. Fish and Wildlife Service	Twin Cities Ecological Services Field Office 4101 American Blvd. E. Bloomington, MN 55425	Electronic Service	No	OFF_SL_21-141_21-141
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_21-141_21-141
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-141_21-141
Kevin	Sleen, Jr.	kevinrsleenjr@q.com		Patricia Sleen ,	Electronic Service	No	OFF_SL_21-141_21-141
Tom	Slukich	tom@nationalconductor.com	National Conductor Constructors	18119 Hwy 371 North Brainderd, MN 56401	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Adam	Sokolski	adam.sokolski@edf-re.com	EDF Renewable Energy	10 Second Street NE Ste 400 Minneapolis, MN 55410	Electronic Service	No	OFF_SL_21-141_21-141
Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy	12300 Elm Creek Boulevard Maple Grove, MN 553694718	Electronic Service	No	OFF_SL_21-141_21-141
Carl	Strohm	cjsmg@sbcglobal.net	SBC Global	105 East Edgewood Ave Indianapolis, IN 46227	Electronic Service	No	OFF_SL_21-141_21-141
Tom	Swafford	tswafford@umsi.us	Utility Mapping Services, Inc	3947 E Calvary Rd Suite 103 Duluth, MN 55803	Electronic Service	No	OFF_SL_21-141_21-141
Eric	Swanson	eswanson@winthrop.com	Winthrop & Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_21-141_21-141
Todd	Tadych	ttadych@atcllc.com	American Transmission Company LLC	5303 Fen Oak Dr Madison, WI 53718	Electronic Service	No	OFF_SL_21-141_21-141
Kodi	Verhalen	kverhalen@taftlaw.com	Taft Stettinius & Hollister LLP	80 S 8th St Ste 2200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-141_21-141
Caren	Warner	caren.warner@state.mn.us	Department of Commerce	85 7th Place East Suite 280 St. Paul, MN 55101-2198	Electronic Service	No	OFF_SL_21-141_21-141
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	OFF_SL_21-141_21-141

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Elizabeth	Wefel	eawefel@flaherty-hood.com	Flaherty & Hood, P.A.	525 Park St Ste 470 Saint Paul, MN 55103	Electronic Service	No	OFF_SL_21-141_21-141
Deanna	White	dwhite@cleanwater.org	Clean Water Action & Water Fund of MN	330 S 2nd Ave Ste 420 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-141_21-141
Josh	Yokel	joshiyokel@gmail.com		4912 Wild Rose Trail Hermantown, MN 55811	Electronic Service	No	OFF_SL_21-141_21-141