

September 5, 2024

**VIA eDOCKETS**

Will Seuffert  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

RE: EERA Exceptions to ALJ Report  
Big Stone South to Alexandria to Big Oaks 345 kV Transmission Line Project  
**PUC Docket Nos.** E002, ET2, ET10, E015, E017/TL-23-159  
E002, ET2, ET10, ET15, E017/CN-22-538  
**OAH Docket No.** 25-2500-39723

Dear Mr. Seuffert,

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff has reviewed the Findings of Fact, Conclusions of Law, and Recommendations (ALJ report) issued by Administrative Law Judge Megan McKenzie on August 29, 2024, for the Big Stone South to Alexandria to Big Oaks 345 kV Transmission Line Project.

EERA appreciates the ALJ report's comprehensive analysis of the record. Staff provides the following exceptions to the report. EERA staff's exceptions are related to information updated since the applicants' original submittal of their proposed Findings of Fact, Conclusions of Law, and Recommendations.<sup>1</sup>

1. **Section IV. C** of the ALJ report is titled "Routes Analyzed in the Environmental Assessment." The findings in this section discuss routes that were analyzed in the environment assessment (EA) for the project. However, the findings in this section also discuss routes that were not analyzed in the EA that were proposed post-issuance of the EA, i.e., during hearing testimony and post-hearing briefing. To ensure that the title of this section comports with the findings in this section, EERA staff recommends editing the title of Section IV. C to be "Mississippi River Crossing Options."
2. **Finding 334** of the ALJ report states:

DOC-EERA recommended inclusion of several special permit conditions into the final Route Permit. The record supports the inclusion of these conditions, including the special conditions

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<sup>1</sup> Northern States Power Company, doing business as Xcel Energy, along with Great River Energy, Minnesota Power, Otter Tail Power Company, and Missouri River Energy Services, on behalf of Western Minnesota Municipal Power Agency, *Applicants Proposed Findings of Fact, Conclusions of Law, and Recommendations*. July 15, 2024, eDockets No. [20247-208648-01](#).

discussed below with respect to the Proposed Route with the Western Crossing Option B (Double-Circuit).

Since the ALJ Report recommends that the Commission issue a route permit for the Western Option B (Double-Circuit) Modified River Crossing, EERA recommends editing finding 334 to clarify that the special permit conditions in the final route permit are included with respect to Western Option B (Double-Circuit) Modified. Edits recommended are shown in redline underlined text as follows:

DOC-EERA recommended inclusion of several special permit conditions into the final Route Permit. The record supports the inclusion of these conditions, including the special conditions discussed below with respect to the Proposed Route with the Western Crossing Option B (Double-Circuit) Modified.

EERA staff appreciates the opportunity to provide these exceptions and is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jenna Ness', written in a cursive style.

Jenna Ness  
Environmental Review Project Manager