

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson (the Applicants) for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project

SERVICE DATE: March 10, 2025

DOCKET NO. ET-2,E-017,ET-6135,  
E-100/CN-24-263;

DOCKET NO. ET-2,E-017,ET-6135,  
E-100/TL-24-264

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

- 1. Found the Applicants' Petition to be substantially complete.**
- 2. Directed the Executive Secretary to issue an authorization to the Applicant to initiate consultation with the Minnesota State Historic Preservation Office.**

**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.

BY ORDER OF THE COMMISSION



A handwritten signature in black ink that reads "Will Seuffert".

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](mailto:consumer.puc@state.mn.us) for assistance.



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January 14, 2025

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

RE: EERA Comments and Recommendations on Application Completeness  
Appleton to Benson 115 kV Project – Certificate of Need and Route Permit Application  
Docket Nos. ET-2,E-017,ET-6135, E-100/CN-24-263; TL-24-264

Dear Mr. Seuffert,

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

In the Matter of the Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project

The certificate of need and route permit application was filed on December 27, 2024, by Great River Energy on behalf of the joint applicants:

Mark Strohfus  
Great River Energy  
12300 Elm Creek Boulevard  
Maple Grove, MN 55369

EERA staff recommends that the route permit portions of the application be accepted as complete. EERA staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink that reads 'Ray Kirsch'.

Ray Kirsch  
Environmental Review Manager

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## BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

### ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS COMMENTS AND RECOMMENDATIONS

#### APPLETON TO BENSON 115 KV TRANSMISSION LINE PROJECT

DOCKET Nos. ET-2,E-017,ET-6135, E-100/CN-24-263 AND  
ET-2,E-017,ET-6135, E-100/TL-24-264

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**Date:** January 14, 2025

**EERA Staff:** Ray Kirsch | 651-539-1841 | raymond.kirsch@state.mn.us

**In the Matter of the Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project**

**Issues Addressed:** These comments and recommendations address the completeness of the certificate of need and route permit application, the need for an advisory task force, and the presence of contested issues of fact.

**Documents Attached:**

(1) Project Overview Map

Additional documents and information can be found on eDockets:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (24-263 and 24-264) and on the Department of Commerce's website: <http://mn.gov/commerce/energyfacilities>.

To request this document in another format, such as large print or audio, call 651-539-1530. Persons with a hearing or speech impairment may call using their preferred telecommunications relay service.

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### Introduction and Background

On December 27, 2024, Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the city of Benson (applicants) filed a joint certificate of need and route permit application to upgrade and construct approximately 29 miles of a single-circuit 115 kV transmission line in Swift County, Minnesota.<sup>1</sup> On January 3, 2025,

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<sup>1</sup> Joint Certificate of Need and Route Permit Application for the Appleton to Benson 115 kV Project; Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative,

the Commission issued a notice soliciting comments on the completeness of the application, the need for an advisory task force, the presence of contested issues of fact, and other related matters.<sup>2</sup>

## Project Purpose

The applicants indicate that the proposed project is needed to meet electrical loads in the project area and to avoid potential low voltage issues resulting from the retirement of the 55 megawatt FibroMinn Energy Center near the city of Benson.

## Project Description

The proposed project includes:

- Upgrading approximately 18.3 miles of existing 41.6 kV transmission line.
- Rebuilding or reconductoring approximately one mile of an existing 115-kV transmission line.
- Constructing approximately 8.0 miles of new 115 kV transmission line.
- Constructing an approximately 1.7-mile 115 kV transmission line from Great River Energy's existing AG-BK 115-kV line to the Benson Municipal Substation.<sup>3</sup>

In addition, the project includes constructing a new Appleton Substation and either relocating or expanding the Moyer and Danvers Substations. Improvements will also be made at the Shible Lake and Benson Municipal Substations to accommodate the new 115 kV transmission line.<sup>4</sup>

Construction of the project is anticipated to begin in 2028. The project is anticipated to be in service in early 2030.<sup>5</sup>

## Regulatory Process and Procedures

In Minnesota, no person may construct a high voltage transmission line without a route permit from the Commission.<sup>6</sup> A high voltage transmission line is defined as a conductor of electric energy designed for and capable of operation at a voltage of 100 kV or more and greater than 1,500 feet in length.<sup>7</sup> The proposed project will consist of approximately 29 miles of 115 kV transmission line and therefore requires a route permit from the Commission. The applicants indicated their intent to use the alternative review process by notice to the Commission on October 30, 2024.<sup>8</sup>

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and city of Benson; December 27, 2024; eDockets Numbers [202412-213349-01](#) (through -25) [hereinafter Application].

<sup>2</sup> Notice of Comment Period on Application Completeness, January 3, 2025, eDockets Number [20251-213500-01](#).

<sup>3</sup> Application, Section 3.0.

<sup>4</sup> Id.

<sup>5</sup> Application, Section 3.5

<sup>6</sup> Minnesota Statute 216E.03.

<sup>7</sup> Minnesota Statute 216E.01.

<sup>8</sup> Notice of Intent to File a Route Permit Application for the Appleton to Benson 115 kV Project Pursuant to the Alternative Permitting Process, October 30, 2024, eDockets Number [202410-211453-01](#).

The proposed project will operate at a voltage greater than 100 kV and will have a length in Minnesota greater than ten miles; accordingly, the project is a large energy facility and requires a certificate of need from the Commission.<sup>9</sup> The certificate of need application must be considered using the processes prescribed by Minnesota Statute 216B.243 and Minnesota Rules 7849.

## Route Permit Application Acceptance

Route permit applications for high voltage transmission lines must provide specific information about a project including applicant information, route descriptions, and potential environmental impacts and mitigation measures.<sup>10</sup> Under the alternative review process, applicants must propose one route in their route permit application and discuss any other routes considered and rejected for the project.<sup>11</sup>

The Commission may accept an application as complete, reject an application and require additional information to be submitted, or accept an application as complete upon filing of supplemental information.<sup>12</sup> The environmental review and permitting process begins on the date the Commission determines that a route permit application is complete.<sup>13</sup> The Commission has six months (or nine months, with just cause) from the date of this determination to reach a route permit decision.<sup>14</sup>

## Environmental Review

Route permit applications are subject to environmental review conducted by Department of Commerce, Energy Environmental Review and Analysis (EERA) staff.<sup>15</sup> Projects proceeding under the alternative review process require the preparation of an environmental assessment (EA).<sup>16</sup> An EA is a document that describes the potential human and environmental impacts of a proposed project and possible mitigation measures. Public meetings will be held to solicit comments on the scope of the EA.<sup>17</sup>

## Certificate of Need and Joint Environmental Review

As noted above, the project requires a certificate of need from the Commission; the applicants have applied to the Commission for this approval. Certificate of need applications are subject to environmental review conducted by EERA staff – staff must prepare an environmental report for these projects.<sup>18</sup>

If a certificate of need and a route permit are required for the same project, EERA staff may elect to combine the two environmental review processes and prepare an EA in lieu of an environmental

<sup>9</sup> Minnesota Statute 216B.2421; Minnesota Statute 216B.243.

<sup>10</sup> Minnesota Rule 7850.3100.

<sup>11</sup> Id.

<sup>12</sup> Minnesota Rule 7850.3200.

<sup>13</sup> Id.

<sup>14</sup> Minnesota Rule 7850.3900.

<sup>15</sup> Minnesota Statute 216E.04, Subd. 5.

<sup>16</sup> Id.

<sup>17</sup> Minnesota Rule 7850.2500.

<sup>18</sup> Minnesota Rule 7849.1200.

report.<sup>19</sup> If an EA is prepared in lieu of an environmental report, the EA must include an analysis of alternatives to the project that would otherwise be required in an environmental report.<sup>20</sup>

## Public Hearing

Route permit applications under the alternative review process require that a public hearing be held in the project area after the EA for the project has been completed and released.<sup>21</sup> The hearing is typically presided over by an administrative law judge (ALJ) from the Office of Administrative Hearings. If certificate of need and route permitting processes are proceeding concurrently, the Commission may order that a joint hearing be held to consider both need and permitting.<sup>22</sup> 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.

## Advisory Task Force

The Commission may appoint an advisory task force to aid the environmental review process.<sup>23</sup> An advisory task force must include representatives of local governmental units in the project area.<sup>24</sup> A task force assists EERA staff with identifying impacts and mitigation measures to be evaluated in the EA. A task force expires upon issuance of the EA scoping decision.<sup>25</sup>

The Commission is not required to appoint an advisory task force for every project. If the Commission does not appoint a task force, citizens may request that one be appointed.<sup>26</sup> If such a request is made, the Commission must determine at a subsequent meeting if a task force should be appointed or not. The decision whether to appoint an advisory task force does not need to be made at the time of application acceptance; however, it should be made as soon as practicable to ensure its charge can be completed prior to issuance of the EA scoping decision.

## EERA Staff Analysis and Comments

EERA staff provides the following analysis and comments in response to the Commission's notice requesting comments on completeness and other issues related to the applicants' joint certificate of need and route permit application.

## Application Completeness

EERA staff has conferred with the applicants regarding the proposed project and has reviewed a draft application. EERA staff believes that staff comments on the draft application have been addressed in the application submitted to the Commission. Staff has evaluated those portions of the application related to the routing of the project against the application completeness

<sup>19</sup> Minnesota Rule 7849.1900.

<sup>20</sup> Id.

<sup>21</sup> Minnesota Rule 7850.3800.

<sup>22</sup> Minnesota Statute 216B.243, Subd. 4.

<sup>23</sup> Minnesota Statute 216E.08.

<sup>24</sup> Id.

<sup>25</sup> Minnesota Rule 7850.3600.

<sup>26</sup> Id.

requirements of Minnesota Rule 7850.1900 (see Table 1). Staff finds that the application contains appropriate and complete information with respect to these requirements.

Staff did not review the application for its compliance with certified of need completeness requirements. EERA staff provides no comments here on these requirements.

## Joint Environmental Review

The Commission has before it a joint certificate of need and route permit application for the project. It appears to EERA staff that the need and permitting processes for the project will proceed concurrently. Thus, at this time, EERA staff anticipates that it will prepare one environmental review document for the project – an EA.

EERA staff believes that preparation of an EA in lieu of an environmental report for the certificate of need will not lengthen the certificate of need or route permitting processes. Additionally, the applicants have requested that the certificate of need and route permitting processes be conducted jointly.<sup>27</sup> Finally, EERA believes that joint environmental review is relatively more efficient for the public, local governments, agencies, and tribes, and that there are benefits to having an environmental analysis of need and routing in one document.

## Joint Public Hearings

As noted above, EERA believes that joint environmental review is appropriate for the project. Thus, public information and scoping meetings would also be joint and directed toward developing the scope of an EA that would address both the certificate of need and route permit.

With respect to public hearings for the project, the applicants have requested that joint public hearings be conducted – hearings that address both need and routing issues.<sup>28</sup> Per Minnesota Statute 216B.2343, joint hearings should be held unless they are not feasible or efficient or otherwise not in the public interest.<sup>29</sup> EERA staff believes that joint hearings are feasible, efficient and in the public interest.

## Advisory Task Force

EERA staff has analyzed the merits of establishing an advisory task force for the project. Staff concludes that a task force is not warranted for the project at this time.

In analyzing the need for an advisory task force for the project, EERA staff considered four characteristics: project size, project complexity, known or anticipated controversy, and sensitive resources.

- **Project Size.** The project consists of approximately 29 miles of 115 kV transmission line. Transmission line structures for the project will range in height from 50 to 100 feet. The length of the project weighs slightly in favor of a task force; however, the voltage and size of

<sup>27</sup> Application, Section 2.3.

<sup>28</sup> Id.

<sup>29</sup> Minnesota Statute 216B.243, Subd. 4.

the structures make this a relatively common transmission line project for Minnesota. These project-size factors weigh against a task force.

- **Project Complexity.** Land use is primarily agricultural along the applicants' proposed route. Substations and connections to substations occur in more urban areas, e.g., city of Benson. The applicants propose to make extensive use of existing transmission line and roadway right-of-way. The project presents no novel construction or operational features. Transmission lines operating at 115 kV are common in the project area for transmitting electrical power. Project-complexity factors weigh against a task force.
- **Known or Anticipated Controversy.** To date, no comments have been received by EERA staff regarding the project and no comments have been filed in the Commission's electronic docket system (eDockets). Project-controversy factors weigh against a task force.
- **Sensitive Natural Resources.** There are sensitive natural resources in the project area.<sup>30</sup> There are four federally-listed rare species and seven state-listed rare species in the project area.<sup>31</sup> There are also habitats with biological significance in the project area. The applicants' proposed route generally avoids these resources; however, some impacts to these resources may occur. The applicants have committed to work with the Minnesota Department of Natural Resources and other agencies to minimize impacts to sensitive natural resources.<sup>32</sup> On whole, potential impacts to sensitive natural resources weigh against a task force.

Based on the above analysis, EERA staff concludes that a task force is not warranted for the project at this time.

### Contested Issue of Fact

Based on its review of the certificate of need and route permit application and the record to date, EERA staff has not identified any contested issues of fact. Staff is unaware of any issues or concerns associated with the application or project that require a contested case hearing.

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 robust record on which to base its decision. Additionally, a full ALJ report does not significantly lengthen the route permitting process. EERA staff has provided a draft schedule for the environmental review and 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 (see Table 2).

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<sup>30</sup> Application, Section 7.6.7.

<sup>31</sup> Id.

<sup>32</sup> Id.

## **EERA Staff Recommendations**

EERA staff recommends that:

- The Commission accept the applicants' joint certificate of need and route permit application as substantially complete with respect to route permit application completeness requirements.
- The Commission conduct the environmental review and hearing processes for the certificate of need and route permit jointly, including preparation of an EA in lieu of an environmental report.
- The Commission not appoint an advisory task force at this time.
- The Commission request a full ALJ report with recommendations for the project's public hearing.

**Table 1. Application Completeness Requirements**

Minnesota Rule 7850.1900, Subpart 2	Location in Application	EERA Staff Comments
A. a statement of proposed ownership of the facility at the time of filing the application and after commercial operation;	3.1, 3.2, 3.6	Information is provided to satisfy this requirement. Table 3.1-1 describes current ownership of facilities and ownership after the project is completed.
B. the precise name of any person or organization to 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 permit is contemplated;	1.1	Information is provided to satisfy this requirement. Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the city of Benson are the proposed permittees for the project.
C. a proposed route for the project and any rejected alternative routes and an explanation of the reasons for rejecting them; <sup>33</sup>	5	Information is provided to satisfy this requirement.
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;	3	Information is provided to satisfy this requirement.
E. the environmental information required under subpart 3;	See Minnesota Rule 7850.1900, Subpart 3 below.	
F. identification of land uses and environmental conditions along the proposed routes;	7	Information is provided to satisfy this requirement.
G. the names of each owner whose property is within any of the proposed routes for the high voltage transmission line;	Appendix G	Information is provided to satisfy this requirement.

<sup>33</sup> Minnesota Rule 7850.3100.

Minnesota Rule 7850.1900, Subpart 2	Location in Application	EERA Staff Comments
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;	Figure 1-1, Figure 3-1, Appendix A	Information is provided to satisfy this requirement.
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;	3.1.1, 3.1.2, 5.2, Appendix A	Information is provided to satisfy this requirement.
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;	5	Information is provided to satisfy this requirement.
K. cost analysis each route, including the costs of constructing, operation and maintaining the high voltage transmission line that are dependent on design and route;	3.4	Information is provided to satisfy this requirement.
L. a description of possible design options to accommodate expansion of the high voltage transmission line in the future;	3.3	Information is provided to satisfy this requirement.
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	Information is provided to satisfy this requirement.
N. a listing and brief description of federal, state, and local permits that may be required for the proposed high voltage transmission line; and	2.4	Information is provided to satisfy this requirement.

Minnesota Rule 7850.1900, Subpart 2	Location in Application	EERA Staff Comments
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.	2.1	The application is a joint certificate of need and route permit application.

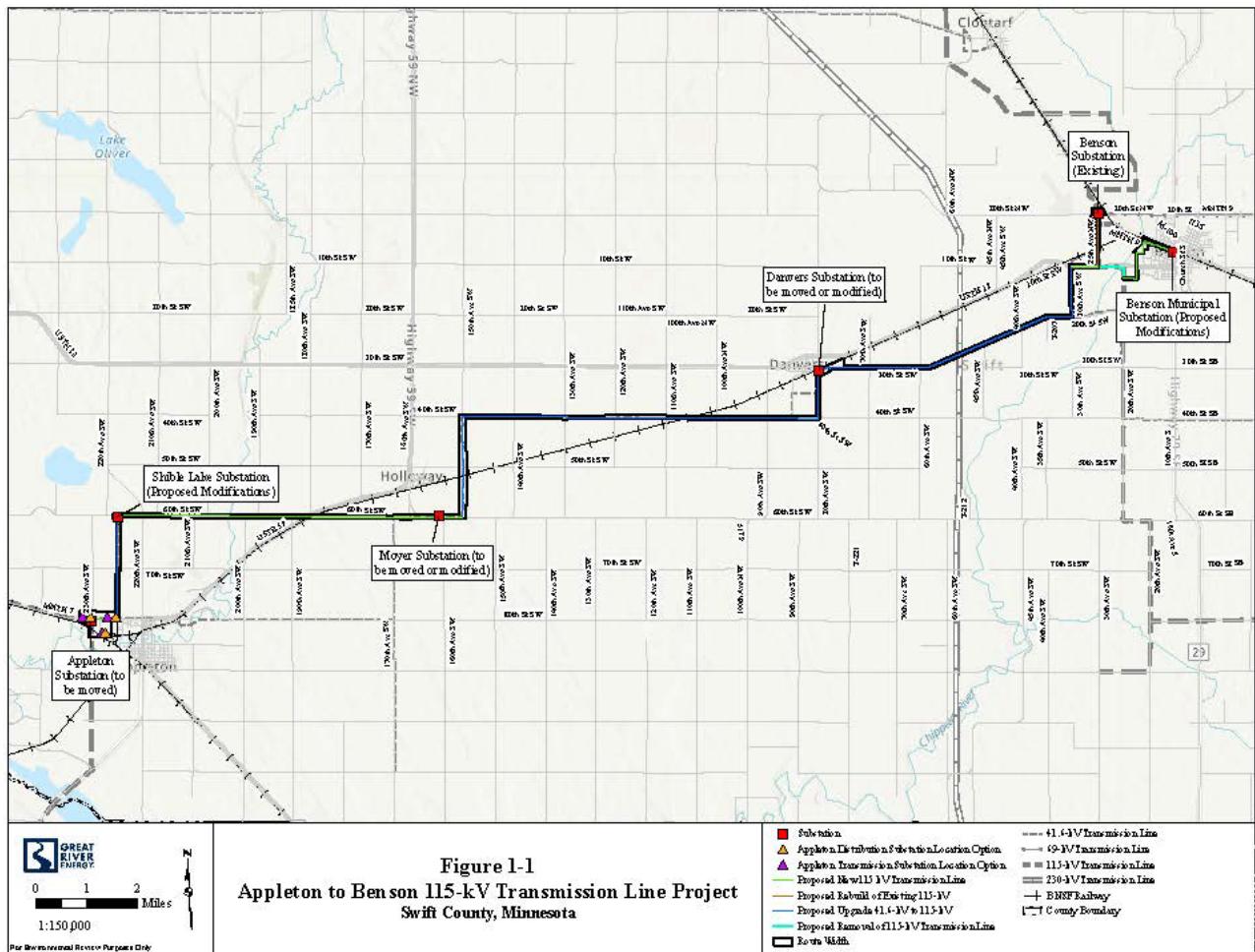
Minnesota Rule 7850.1900, Subpart 3	Location in Application	EERA Staff Comments
A. a description of the environmental setting for each site or route;	7.1	Information is provided to satisfy this requirement.
B. a description of the effects of construction and operation of the facility on human settlement, including, but not limited to, public health and safety, displacement, noise, aesthetics, socioeconomic impacts, cultural values, recreation, and public services;	7.2, 7.3, 7.4	Information is provided to satisfy this requirement.
C. a description of the effects of the facility on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;	7.4	Information is provided to satisfy this requirement.
D. a description of the effects of the facility on archaeological and historic resources;	7.5	Information is provided to satisfy this requirement.
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;	7.6	Information is provided to satisfy this requirement.

Minnesota Rule 7850.1900, Subpart 3	Location in Application	EERA Staff Comments
F. a description of the effects of the facility on rare and unique natural resources;	7.6	Information is provided to satisfy this requirement.
G. identification of human and natural environmental effects that cannot be avoided if the facility is approved at a specific site or route; and	7.8	Information is provided to satisfy this requirement.
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.	7, Appendix L	Information is provided to satisfy this requirement.

**Table 2. Draft Permitting Process Schedule**

Approximate Date	Permitting Day	Permitting Process Step
December 2024	--	Application Submitted
January 2025	--	Comment Period on Application Completeness
February 2025	--	Commission Considers Application Acceptance
February 2025	0	Application Acceptance Order
March 2025	5	Notice of Public Information and Scoping Meetings
March 2025	30	Public Information and Scoping Meetings
May 2025	60	Scoping Decision Issued
August 2025	210	EA Issued   Notice of EA Availability and Public Hearing
September 2025	240	Public Hearing
October 2025	270	Public Hearing Comment Period Closes
October 2025	270	Applicant Responses to Hearing Comments
Summary of Public Testimony		
	280	Applicant Proposed Findings
	290	EERA Responses to Comments on EA; Technical Analysis; Replies to Applicant Proposed Findings
	290	ALJ Submits Summary of Public Testimony
	320	Commission Staff Prepares Findings and Proposed Route Permit
	340	Commission Considers CN and Route Permit Issuance
Full ALJ Report with Findings, Conclusions, and Recommendations		
	280	Applicant Proposed Findings
	290	EERA Responses to Comments on EA; Technical Analysis; Replies to Applicant Proposed Findings
	320	ALJ Submits Full Report
	335	Exceptions to ALJ Report
	350	Commission Staff Prepares Proposed Route Permit
	370	Commission Considers CN and Route Permit Issuance

### Project Overview Map



January 14th, 2025

Will Seuffert  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, Minnesota 55101-2147

RE: Comments of the Minnesota Department of Commerce  
Docket No. ET-2,E-017,ET-6135, E-100/CN-24-263

Dear Mr. Seuffert:

Attached are the comments of the Minnesota Department of Commerce (Department) in the following matter:

*The Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project.*

The Petition was filed by Great River Energy, Otter Tail Power Company, Western Municipal Power Agency (Missouri River Energy Services), Agralite Electric Cooperative, and the City of Benson, MN on December 27, 2024.

The Department Minnesota Public Utilities Commission **find the application complete upon submission of additional data** and is available to answer any questions the Minnesota Public Utilities Commission may have.

Sincerely,

/s/ DR. SYDNIE LIEB  
Assistant Commissioner of Regulatory Affairs

AZ/SR/ar  
Attachment



## Before the Minnesota Public Utilities Commission

### Comments of the Minnesota Department of Commerce

Docket No. ET-2,E-017,ET-6135, E-100/CN-24-263

#### I. INTRODUCTION

On December 27, 2024, Great River Energy (GRE), Otter Tail Power Company (OTP), Western Minnesota Municipal Power Agency (WMMPA), Agralite Electric Cooperative (Agralite), and the City of Benson (Benson) (together, "Applicants") filed the Applicants' *Application to the Minnesota Public Utilities Commission for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project* (Petition).

The Appleton to Benson area transmission project consists of a 115 kilovolt (kV) high voltage transmission line project in Swift County Minnesota. The Applicants propose to construct approximately 29 miles of new 115 kV transmission line, of which approximately 18 miles will replace an existing 41.6 kV transmission line and approximately 1 mile will rebuild/reconductor an existing 115 kV transmission line. The Applicants also propose to construct a new Appleton Substation, modify or build a new Moyer Substation, and modify substations at Shible Lake, Danvers, and Benson. All proposed transmission lines and facilities are located in Swift County, Minnesota (Project).

Before the Applicants' Petition is considered on its merits, it must first go through a completeness review. During completeness, the Minnesota Department of Commerce (Department) reviews a petition to determine if a basic level of information has been provided for each item required by Minnesota Rules. The quality and quantity of information is not at issue, only the presence or absence of the required information.

## II. PROCEDURAL BACKGROUND

The Department outlines the following procedural history relevant to the Completeness Review.

July 29, 2024	The Applicants file their combined Notice Plan <sup>1</sup> and Exemption Petition. <sup>2</sup>
August 28, 2024	The Department files its Initial Comments on the Exemption Petition. <sup>3</sup>
September 12, 2024	The Department files its Supplemental Comments, recommending approval of the Applicants' revised Notice Plan and Exemption Petition. <sup>4</sup>
September 13, 2024	The Applicants file their Response to Reply Comments, which did not object to the Department's revised recommendations. <sup>5</sup>
October 1, 2024	The Minnesota Public Utilities Commission (Commission) issued its Order accepting the Department's recommendations. Order Point 6 granted the following exemptions: <ol style="list-style-type: none"><li>Minnesota Rules 7849.0260 subps. A(3) and C(6) with the provision of the proposed alternative data.</li><li>Minnesota Rules 7849.0270 subps. 1 and 2 with the provision of the proposed alternative data, and a full exemption to subps. 3 to 5.</li><li>Minnesota Rules 7849.0280 subps. B through I.</li><li>Minnesota Rules 7849.0290 with the provision of the proposed alternative data.</li><li>Minnesota Rules 7849.0300 and 7849.0340 with the provision of the proposed alternative data.<sup>6</sup></li></ol>

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<sup>1</sup> Note the Notice Plan and Exemption Plan were filed in the same document. Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Notice Plan, July 29, 2024, (eDockets) [20247-209055-01](#) at 1-8, (hereinafter "Notice Plan").

<sup>2</sup> Note the Notice Plan and Exemption Plan were filed in the same document. Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Exemption Petition, July 29, 2024, (eDockets) [20247-209055-01](#) at 1-13, (hereinafter "Exemption Petition").

<sup>3</sup> Minnesota Department of Commerce, Initial Comments on the Exemption Petition, August 28, 2024, (eDockets) [20248-209831-01](#), (hereinafter "Department Initial Comments on the Exemption Petition").

<sup>4</sup> Minnesota Department of Commerce, Supplemental Comments, September 12, 2024, (eDockets) [20249-210172-01](#).

<sup>5</sup> Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Exemption Petition, Response to Reply Comments, September 13, 2024, (eDockets) [20249-210212-01](#), (hereinafter "Applicants' Response to Reply Comments").

<sup>6</sup> Minnesota Public Utilities Commission, Order, October 1, 2024, (eDockets) [202410-210618-01](#), (hereinafter "2024 Order").

December 27, 2024      The Applicants file their Petition for the proposed Project.<sup>7</sup>

January 3, 2025      The Commission issues its *Notice of Comment Period on Application Completeness (Notice)*.<sup>8</sup>

Topic(s) open for comment:

- Does the joint application contain the information required in Minn. R. 7849?
- Are there any contested issues of fact with respect to the representations made in the application?
- Should an advisory task force be appointed?
- Should the Commission direct the Executive Secretary to issue an authorization to the applicant to initiate consultation with the Minnesota State Historic Preservation Office (SHPO)?
- Are there other issues or concerns related to this matter?

Below are the comments of Department regarding the completeness of the Petition.

### **III.      DEPARTMENT ANALYSIS**

#### **A.      COMPLETENESS REVIEW**

The Notice indicates that the first issue open for comment is whether the Petition contains the information required under Minnesota Rules Chapter 7849. The Department reviews the Petition for completeness under Minnesota Rules and the Commission's order regarding the Exemption Petition. Overall, the Department's completeness review is summarized in Attachment 1. The Department finds three deficiencies with the Petition.

##### **A.1.      Effect on Rates**

The Department finds that the requirement under Minn. R. 7849.0260(C)(5) has only been partially satisfied. The rule requires that the Applicants demonstrate "for the proposed facility and for each of the alternatives provided in response to item B that could provide electric power at the asserted level of need, a discussion of [...] an estimate of its effect on rates systemwide and in Minnesota, assuming a test year beginning with the proposed in-service date."

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<sup>7</sup> Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Application for a Certificate of Need and Route Permit, December 27, 2024, (eDockets) [202412-213349-02](#), (hereinafter "Petition").

<sup>8</sup> Minnesota Public Utilities Commission, Notice of Comment on Application Completeness, January 3, 2025, (eDockets) [20251-213500-01](#).

The Petition states:

The Commission's Certificate of Need rules require that an applicant provide the annual revenue requirements to recover the costs of a proposed project. Otter Tail Power's revenue requirements are included in Appendix H. For the remaining Applicants, the Commission approved the Applicants' exemption request, instead requiring Great River Energy to provide an explanation of how wholesale electricity costs are spread among the users of the transmission grid and the general financial effects of the Project on Great River Energy's member cooperatives. Likewise, the Commission directed Western Minnesota to provide an explanation of the general financial effects of the Project on the MRES member municipal utilities.<sup>9</sup> [citation omitted]

The Department confirms that OTP provides the required information, but GRE and WMMPA have not provided the required information. The approved provision of alternative data that was granted in the Commission's 2024 Order Point 6.b applies only to "Minnesota Rules 7849.0270 Subps. 1 and 2 with the provision of the proposed alternative data." The Commission did not grant an exemption to Minn. R. 7849.0260(C)(5). The 2024 Order Point 6.a only grants an exemption to "Minnesota Rules 7849.0260 Subps. A(3) and C(6) with the provision of the proposed alternative data."

***The Department recommends that the Applicants provide all of the information required by Minn. R. 7849.0260(C)(5).***

#### A.2. *System Monthly Peak Demand Data*

The Commission's 2024 Order Point 6.b granted an exemption to "Minnesota Rules 7849.0270 Subps. 1 and 2 with the provision of the proposed alternative data." In its Exemption Petition, the Applicants state the proposed alternative data to be provided for subpart 2(C) and 2(D):

Minn. R. 7849.0270, subp. 2(C), seeks an estimate of the demand for power in the system at the time of annual system peak demand. Minn. R. 7849.0270, subp. 2(D), calls for monthly system peak demand data. Evaluation of the need for the transmission capacity for the Project is based on demand within the Project area. Rather than providing system peak demand data that provides little insight into the localized transmission needs underlying the Project, Applicants propose to provide actual historical load data for local substations.<sup>10</sup> [citation omitted]

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<sup>9</sup> Petition at 31-32.

<sup>10</sup> Exemption Petition at 8.

The Department is unable to find any actual historical monthly load data for local substations.

***The Department recommends the Applicants provide actual historical load data for local substations in compliance with Minn. R. 7849.0270, subp. 2(C).***

#### **A.3. Coordination of Forecasts**

In its Exemption Petition, the Applicants requested an exemption to Minn R. 7849.0270 subps. 3-6.<sup>11</sup> In its Initial Comments on the Exemption Petition, the Department stated:

The Department notes that exemptions to subparts 3 to 5 is standard practice, but not subpart 6. Subpart 6 specifically requires the Applicants to discuss the coordination of their forecasts “with those of other systems.” While the Department does not expect a discussion of the coordination with the power pool, here Midcontinent Independent System Operator, Inc. (MISO), the Department does expect to see a discussion of the coordination of historical and forecasted substation data among the multiple applicants in this Petition.<sup>12</sup>

In the Applicant’s Response to Reply Comments, the Applicants did not oppose the Department’s recommendation to exclude an exemption to Minn R. 7849.270 subp. 6.<sup>13</sup> The Commission accepted the Department’s final recommendations and only granted an exemption to subps. 3-5 in the 2024 Order Point 6.b. The Department was unable to locate the information required by Minn R. 7849.0270 subp. 6.

***The Department recommends the Applicants provide a discussion of the coordination of historical and forecasted substation data in compliance with Minn. R. 7849.0270, subp. 6.***

#### **B. CONTESTED ISSUES**

The second issue open for comment is “Are there any contested issues of fact with respect to the representations made in the application?” The Department does not have any contested issues of fact at this time.

#### **C. ADVISORY TASK FORCE**

The third issue open for comment is “Should an advisory task force be appointed?” The Department defers to the Department’s Energy Environmental Review and Analysis (EERA) unit regarding environmental review, including use of an advisory task force.

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<sup>11</sup> Exemption Petition at 9-10.

<sup>12</sup> Department Initial Comments on the Exemption Petition at 5.

<sup>13</sup> Applicants Response to Reply Comments at 2.

*D. AUTHORIZED CONSULTATION*

The fourth issue open for comment is “Should the Commission direct the Executive Secretary to issue an authorization to the applicant to initiate consultation with the Minnesota State Historic Preservation Office (SHPO)?” The Department defers to the Department’s EERA unit on whether the Commission should direct the applicant to consult with SHPO.

*E. OTHER ISSUES*

The fifth issue open for comment is “Are there other issues or concerns related to this matter?” The Department does not have comments on any other issues.

**IV. DEPARTMENT RECOMMENDATIONS**

Based on analysis of the Petition and the information in the record, the Department has prepared recommendations, which are provided below. The recommendations correspond to the subheadings of Section III above.

*A. COMPLETENESS REVIEW*

- A.1. The Department recommends that the Applicants provide all of the information required by Minn. R. 7849.0260(C)(5).
- A.2. The Department recommends the Applicants provide actual historical load data for local substations in compliance with Minn. R. 7849.0270, subp. 2(C).
- A.3. The Department recommends the Applicants provide a discussion of the coordination of historical and forecasted substation data in compliance with Minn. R. 7849.0270, subp. 6.

Regarding the Applicants’ Petition, the Department recommends Commission find the application complete upon submission of additional data.

## Attachments

Minnesota Rule	Short Description	Exemption?	Location	Complete?
7829.2500 (2)	Separate, Brief Summary	No	Separate File	Yes
7849.0200 (2)	Title Page and Table of Contents	No	Pages i-vi	Yes
7849.0200 (4)	Cover Letter	No	Cover	Yes
7849.0240 (1)	Need Summary	No	Pages 7, 35, 42-47	Yes
7849.0240(2)(A)	Additional Considerations: Socially Beneficial Uses	No	Page 54	Yes
7849.0240(2)(B)	Additional Considerations: Promotional Activities	No	Page 54	Yes
7849.0240(2)(C)	Additional Considerations: Future Development	No	Page 54	Yes
7849.0260(A)(1)	Description of Facility: Design Voltage	No	Page 29	Yes
7849.0260(A)(2)	Description of Facility: Conductors	No	Page 30	Yes
7849.0260(A)(3)	Description of Facility: Line Losses	Yes-System Losses	Page 46	Yes
7849.0260(A)(4)	Description of Facility: Length	No	Pages 20-22	Yes
7849.0260(A)(5)	Description of Facility: Terminal Location	No	Appendix A	Yes
7849.0260(A)(6)	Description of Facility: Affected Counties	No	Pages 6-7	Yes
7849.0260(B)(1)	Description of Alternatives: New Generation	No	Pages 47-50	Yes
7849.0260(B)(2)	Description of Alternatives: Upgrade Existing Facility	No	Page 50	Yes
7849.0260(B)(3)	Description of Alternatives: Different Voltages & Conductors	No	Page 51	Yes
7849.0260(B)(4)	Description of Alternatives: Different Endpoints	No	Pages 51-52	Yes
7849.0260(B)(5)	Description of Alternatives: Double Circuit Existing Lines	No	Page 52	Yes
7849.0260(B)(6)	Description of Alternatives: DC transmission Line	No	Page 52	Yes
7849.0260(B)(7)	Description of Alternatives: Underground Line	No	Pages 52-53	Yes
7849.0260(B)(8)	Description of Alternatives: Reasonable Combinations	No	Page 53	Yes
7849.0260(C)(1)	Alternatives Details: Cost Current Dollars	No	Page 31	Yes
7849.0260(C)(2)	Alternatives Details: Service Life	No	Page 30	Yes
7849.0260(C)(3)	Alternatives Details: Average Annual Availability	No	Page 30	Yes

Minnesota Rule	Short Description	Exemption?	Location	Complete?
7849.0260(C)(4)	Alternatives Details: O & M Costs	No	Page 31	Yes
7849.0260(C)(5)	Alternatives Details: Effect on Rates	No	OTP Appendix H; GRE and WMMPA non-responsive	No; no exemption was granted to GRE and WMMPA
7849.0260(C)(6)	Alternatives Details: Losses	Yes-System Losses	Page 46	Yes
7849.0260(C)(7)	Alternatives Details: Major Assumptions	No	Page 40, Appendix I Page 22, and 38	Yes
7849.0260(D)	System Map	No	Figure 1.1	Yes
7849.0260(E)	Other Relevant Information	No	Applicant Discretion	Yes
7849.0270(1)	Forecast Scope	Yes-affected load area only	Pages 39-41, Appendix I	Yes
7849.0270(2)(A) and (B)	Minnesota only and System-wide Energy Forecast	Yes-affected load area only	Pages 39-41, Appendix I	Yes
7849.0270(2)(C)	Peak Demand for the System and by Customer Class	Yes-affected load area only	N/A	N/A
7849.0270(2)(D)	System Monthly Peak Demand Data	Yes-affected load area only	No Monthly Data provided	No
7849.0270(2)(E)	System Annual Revenue Requirement per kilowatt-hour	Yes-GRE & WMMPA: MISO cost allocation; No-OTP: not exempt	Pages 31-32; Appendix H	Yes
7849.0270(2)(F)	Monthly Average System Weekday Load Factor	Yes	Exempt	N/A
7849.0270(3)-(5)	Forecast Methodology	Yes	Exempt	N/A
7849.0270(6)	Coordination of Forecasts	No	No variance granted from the Commission	No
7849.0280(A)	Power Planning Programs	No	Appendix I Page 5	Yes
7849.0280(B)-(I)	Load and Capability Data	Yes	Exempt	N/A

Minnesota Rule	Short Description	Exemption?	Location	Complete?
7849.0290	Conservation Programs	Yes—Summary of Applicant's programs	Appendix J	Yes
7849.0300	Consequences of Delay	Yes—General discussion	Page 53	Yes
7849.0320	Generator Alternative Info	No	Not considered in detail	Yes
7849.0330(A)(1)	Overhead Transmission: Structure/Conductor Diagram	No	Pages 26-29	Yes
7849.0330(A)(2)	Overhead Transmission: Electric Fields	No	Pages 88-97	Yes
7849.0330(A)(3)	Overhead Transmission: Ozone and Nitrogen Oxide	No	Page 98	Yes
7849.0330(A)(4)	Overhead Transmission: Radio and TV Interference	No	Page 88	Yes
7849.0330(A)(5)	Overhead Transmission: Audible Noise	No	Pages 73-76	Yes
7849.0330(B)	Underground Transmission	No	Exempt	N/A
7849.0330(C)	Right-of-Way	No	Page 23	Yes
7849.0330(D)	Construction Practices	No	Pages 63-68	Yes
7849.0330(E)	O & M Practices	No	Pages 68-69; Appendix L	Yes
7849.0330(F)	Work Force	No	Page 68	Yes
7849.0330(G)(1)	Description of Region: Hydrologic Features	No	Pages 112-122; Appendix A	Yes
7849.0330(G)(2)	Description of Region: Vegetation & Wildlife	No	Pages 122-136; Appendices K, L	Yes
7849.0330(G)(3)	Description of Region: Physiographic Regions	No	Pages 109-112; Appendix L	Yes
7849.0330(G)(4)	Description of Region: Land Use	No	Pages 101-106; Appendix A	Yes
7849.0340	No-Facility Alternative	Yes—General discussion	Page 53	Yes

January 27th, 2025

Will Seuffert  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, Minnesota 55101-2147

RE: Comments of the Minnesota Department of Commerce  
Docket No. ET-2,E-017,ET-6135, E-100/CN-24-263

Dear Mr. Seuffert:

Attached are the supplemental comments of the Minnesota Department of Commerce (Department) in the following matter:

*The Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project.*

The Petition was filed by Great River Energy, Otter Tail Power Company, Western Municipal Power Agency (Missouri River Energy Services), Agralite Electric Cooperative, and the City of Benson, MN on December 27, 2024.

The Department recommends that the Minnesota Public Utilities Commission **find the application complete** and is available to answer any questions the Minnesota Public Utilities Commission may have.

Sincerely,

/s/ DR. SYDNIE LIEB  
Assistant Commissioner of Regulatory Affairs

AZ/SR/ad  
Attachment



# COMMERCE DEPARTMENT

## Before the Minnesota Public Utilities Commission

## **Supplemental Comments of the Minnesota Department of Commerce**

Docket No. ET-2,E-017,ET-6135, E-100/CN-24-263

## I. INTRODUCTION

On December 27, 2024, Great River Energy (GRE), Otter Tail Power Company (OTP), Western Minnesota Municipal Power Agency (WMMPA), Agralite Electric Cooperative (Agralite), and the City of Benson (Benson) (together, “Applicants”) filed the Applicants’ *Application to the Minnesota Public Utilities Commission for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project* (Petition).

The Appleton to Benson area transmission project consists of a 115 kilovolt (kV) high voltage transmission line project in Swift County Minnesota. The Applicants propose to construct approximately 29 miles of new 115 kV transmission line, of which approximately 18 miles will replace an existing 41.6 kV transmission line and approximately 1 mile will rebuild/reconductor an existing 115 kV transmission line. The Applicants also propose to construct a new Appleton Substation, modify or build a new Moyer Substation, and modify substations at Shible Lake, Danvers, and Benson. All proposed transmission lines and facilities are located in Swift County, Minnesota (Project).

Before the Applicants' Petition is considered on its merits, it must first go through a completeness review. During completeness review, the Minnesota Department of Commerce (Department) reviews a petition to determine if a basic level of information has been provided for each item required by Minnesota Rules. The quality and quantity of information is not at issue, only the presence or absence of the required information.

## II. PROCEDURAL BACKGROUND

The Department outlines the following procedural history relevant to the Completeness Review.

July 29, 2024 The Applicants file their combined Notice Plan<sup>1</sup> and Exemption Petition.<sup>2</sup>

September 12, 2024 The Department files its Supplemental Comments, recommending

approval of the Applicants' revised Notice Plan and Exemption Petition.<sup>3</sup>

<sup>1</sup> Note the Notice Plan and Exemption Plan were filed in the same document. Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Notice Plan, July 29, 2024, (eDockets) [20247-209055-01](#) at 1-8.

<sup>2</sup> Note the Notice Plan and Exemption Plan were filed in the same document. Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Exemption Petition, July 29, 2024. (eDockets) [20247-209055-01](#) at 1-13.

<sup>3</sup> Minnesota Department of Commerce, Supplemental Comments, September 12, 2024, (eDockets) 20249-210172-01.

September 13, 2024	The Applicants file their Response to Reply Comments, which did not object to the Department's revised recommendations. <sup>4</sup>
October 1, 2024	The Minnesota Public Utilities Commission (Commission) issued its Order accepting the Department's recommendations. Order Point 6 granted the following exemptions: <ol style="list-style-type: none"><li>a. Minnesota Rules 7849.0260 subps. A(3) and C(6) with the provision of the proposed alternative data.</li><li>b. Minnesota Rules 7849.0270 subps. 1 and 2 with the provision of the proposed alternative data, and a full exemption to subps. 3 to 5.</li><li>c. Minnesota Rules 7849.0280 subps. B through I.</li><li>d. Minnesota Rules 7849.0290 with the provision of the proposed alternative data.</li><li>e. Minnesota Rules 7849.0300 and 7849.0340 with the provision of the proposed alternative data.<sup>5</sup></li></ol>
December 27, 2024	The Applicants file their Petition for the proposed Project. <sup>6</sup>
January 3, 2025	The Commission issues its <i>Notice of Comment Period on Application Completeness</i> (Notice). <sup>7</sup>
January 14, 2025	The Department files its Initial Comments, recommending additional data be filed on rate impact, demand data, and the coordination of forecasts. <sup>8</sup>
January 21, 2025	The Applicants file their Reply Comments. <sup>9</sup>

Topic(s) open for comment:

- Does the joint application contain the information required in Minn. R. 7849?

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<sup>4</sup> Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Exemption Petition, Response to Reply Comments, September 13, 2024, (eDockets) [20249-210212-01](#).

<sup>5</sup> Minnesota Public Utilities Commission, Order, October 1, 2024, (eDockets) [202410-210618-01](#).

<sup>6</sup> Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Application for a Certificate of Need and Route Permit, December 27, 2024, (eDockets) [202412-213349-02](#), (hereinafter "Petition").

<sup>7</sup> Minnesota Public Utilities Commission, Notice of Comment on Application Completeness, January 3, 2025, (eDockets) [20251-213500-01](#).

<sup>8</sup> Minnesota Department of Commerce, Initial Comments, January 14, 2025, (eDockets) [20251-213897-01](#), (hereinafter "Department Initial Comments").

<sup>9</sup> Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the City of Benson, Reply Comments, January 21, 2025, (eDockets) [20251-214178-01](#), (hereinafter "Applicants' Reply Comments").

- Are there any contested issues of fact with respect to the representations made in the application?
- Should an advisory task force be appointed?
- Should the Commission direct the Executive Secretary to issue an authorization to the applicant to initiate consultation with the Minnesota State Historic Preservation Office (SHPO)?
- Are there other issues or concerns related to this matter?

Below are the supplemental comments of Department regarding the completeness of the Petition.

### **III. DEPARTMENT ANALYSIS**

The Department's analysis pertains to three issues identified during the Department's completeness review in its Initial Comments.

#### *A. EFFECT ON RATES*

In its Initial Comments, the Department recommended that "the Applicants provide all of the information required by Minn. R. 7849.0260(C)(5)." <sup>10</sup> The Department stated:

The Department finds that the requirement under Minn. R. 7849.0260(C)(5) has only been partially satisfied. The rule requires that the Applicants demonstrate "for the proposed facility and for each of the alternatives provided in response to item B that could provide electric power at the asserted level of need, a discussion of [...] an estimate of its effect on rates systemwide and in Minnesota, assuming a test year beginning with the proposed in-service date."

The Department confirms that OTP provides the required information, but GRE and WMMPA have not provided the required information. The approved provision of alternative data that was granted in the Commission's 2024 Order Point 6.b applies only to "Minnesota Rules 7849.0270 Subps. 1 and 2 with the provision of the proposed alternative data." The Commission did not grant an exemption to Minn. R. 7849.0260(C)(5). The 2024 Order Point 6.a only grants an exemption to "Minnesota Rules 7849.0260 Subps. A(3) and C(6) with the provision of the proposed alternative data."<sup>11</sup>

In its Reply Comments, the Applicants state their response in Section 3.4.2 of the Petition, and provide the following additional information:

The Applicants respectfully submit that the information provided with respect to Great River Energy and Western Minnesota is responsive to the rule requirement because the Applicants have provided the rate impact of

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<sup>10</sup> Department Initial Comments at 4.

<sup>11</sup> *Id.*, at 3-4.

the Project for each entity, reflecting that each entity is a wholesale electric provider. As additional context, the Great River Energy rate impact represents a 0.7 percent increase to annual member transmission revenue requirements; the MRES rate impact represents a 1.4 percent increase to annual member transmission revenue requirements. The Applicants commit to coordinating further with DOC-DER should further questions arise regarding the Project's effect on rates.<sup>12</sup>

The Department made its recommendation because of the information asymmetry between the rate impact provided by OTP and that provided by GRE and WMMPA. The newly provided information adds additional clarity to the impact on rates, and expands upon the cost of the project for each entity. The Department also recognizes that GRE and WMMPA are wholesale electric providers, and do not set retail rates as OTP does. Based on the new information submitted, the Department now recommends that the Commission find the Applicant's response to Minn. R. 7849.0260(C)(5) complete.

#### *B. SYSTEM MONTHLY PEAK DEMAND DATA*

In its Initial Comments, the Department recommended that "the Applicants provide actual historical load data for local substations in compliance with Minn. R. 7849.0270, subp. 2(C)." <sup>13</sup> The Department misstated its recommendation, and meant to declare noncompliance with Minn. R. 7849.0270, subp. 2(D), which requires "the applicant's system peak demand by month."

In their Reply Comments, the Applicants state:

Minnesota Rule 7849.0270, subpart 2(C), states that an application should include "an estimate of the demand for power in the applicant's system at the time of annual system peak demand. . . ." The Applicants requested an exemption from this requirement, instead proposing to provide "actual historical load data for local substations." The Commission approved the Applicants' requested exemption. DOC-DER states that it "is unable to find any actual historical monthly load data for local substations." Table 4.2-1 of the Application includes actual historical peak load data (the highest peak hour seen by meter up to 2023) for each substation. All peak hours were found in the summer months, and the Applicants used a summer-peak model for the analysis. With this clarification, the Applicants respectfully submit that the data included in the Application includes the "actual historical load data for local substations" that the Applicants proposed to provide. The Applicants will also coordinate further with DOC-DER throughout this process to provide information needed for DOC-DER's analysis.<sup>14</sup> [citations omitted]

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<sup>12</sup> Applicants' Reply Comments at 2.

<sup>13</sup> Department Initial Comments at 5.

<sup>14</sup> Applicant's Reply Comments at 2-3.

As stated by the Applicants above, the Applicants provide a single peak load for one month in Table 4.2-1 of the Petition, which is not “the applicant's system peak demand by month.” While the response by the Applicants does not contain the required data, the highest system peak demand and forecasts are the most relevant information for the establishment of the need for the Petition. Should any intervenors decide that monthly data is required to establish the need for the project, they may request this information during the merit review. In order to reduce the administrative burden required to supply the monthly data, which does not appear to be relevant to the matter at hand, the Department recommends the Commission find the Applicant's response to Minn. R. 7849.0270 subp. 2(D) to be substantially complete.<sup>15</sup>

### *C. COORDINATION OF FORECASTS*

In its Initial Comments, the Department recommended that “the Applicants provide a discussion of the coordination of historical and forecasted substation data in compliance with Minn. R. 7849.0270, subp. 6.”<sup>16</sup>

In their Reply Comments, the Applicants state:

Minnesota Rule 7849.0270, subpart 6, states that an application should include “a description of the extent to which the applicant coordinates its load forecasts with those of other systems” and “a description of the manner in which such forecasts are coordinated, and any problems experienced in efforts to coordinate load forecasts.” DOC-DER recommended that the Applicants provide a discussion responsive to this rule, and the Applicants do so in this filing. Specifically, as relevant to this Project, the Midcontinent Independent System Operator, Inc. (“MISO”) coordinates load forecasts in the local region through the MISO transmission expansion plan (“MTEP”) process. Load forecasts are provided by transmission owners to MISO annually to create a coordinated set of models used for transmission planning. For this Project, the load data and forecasts were coordinated with the Applicants as part of the analysis reflected in Appendix I and Section 4 of the Application, with Great River Energy, Otter Tail Power, and MRES (on behalf of Western Minnesota) providing the most up to date meter data and forecasts for the local study area. The Applicants did not experience any problems coordinating load forecasts for this Project.<sup>17</sup>

While the Department does not dispute the Applicants' response or their efforts to coordinate forecasts, the Department maintains that a discussion of coordination was not provided in the Petition, and instead the products of the coordination were provided. However, the above response from Reply Comments does provide a discussion of how forecasts were coordinated. Therefore, the Department

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<sup>15</sup> Minn. R. 7849.0200 subp. 5 allows the Commission to determine that an application is substantially complete.

<sup>16</sup> Department Initial Comments at 5.

<sup>17</sup> Applicants Reply Comments at 3.

now recommends that the Commission find the Applicants' response to Minn. R. 7849.0270 subp. 6 complete.

**IV. DEPARTMENT RECOMMENDATIONS**

Based on analysis of the Petition and the information in the record, the Department recommends that the Commission find the Applicants' Petition to be substantially complete.

## **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: **ET-2,E-017,ET-6135,E-100/CN-24-263;**  
**ET-2,E-017,ET-6135,E-100/TL-24-264**

Dated this **10th** day of **March, 2025**

/s/ Robin Benson

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate	View
								Delivery Method	Trade Secret
1	Lisa	Agrimonti	lagrimonti@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402-4400 United States	Electronic Service	No	24-263CN-24-263
2	Cody M.	Bauer	cbauer@fredlaw.com	Fredrikson & Byron, P.A.		60 South 6th Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service	No	24-263CN-24-263
3	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General - Department of Commerce		445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service	Yes	24-263CN-24-263
4	Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce		85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service	No	24-263CN-24-263
5	Thomas	Hoffman	thoffman@agraelite.com	Agralite Electric Cooperative		320 Highw ay 12 SE Benson MN, 56215 United States	Electronic Service	No	24-263CN-24-263
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service	No	24-263CN-24-263
7	Kris	Koch	kkoch@otpc.com	Otter Tail Power Company		215 S. Cascade Street Fergus Falls MN, 56537 United States	Electronic Service	No	24-263CN-24-263
8	Stephen	Kow al	skow al@bensonmnlaw.com	Wilcox Law Office, P.A.		1150 Wisconsin Avenue Benson MN, 56215 United States	Electronic Service	No	24-263CN-24-263
9	David C.	McLaughlin	dmclaughlin@fluegellaw.com	Western Minnesota Municipal Power Agency		129 2nd Street Ortonville MN, 56278 United States	Electronic Service	No	24-263CN-24-263
10	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General - Residential Utilities Division		1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service	Yes	24-263CN-24-263
11	Will	Seuffert	w ill.seuffert@state.mn.us	Public Utilities Commission		121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service	Yes	24-263CN-24-263
12	Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy		12300 Elm Creek	Electronic Service	No	24-263CN-24-263

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View
							Trade Secret	Service List Name	
						Boulevard Maple Grove MN, 55369- 4718 United States			
13	Haley	Waller Pitts	hw.allerpitts@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402- 4400 United States	Electronic Service	No	24-263CN-24-263
14	Brian	Zavesky	brianz@mrenergy.com	Missouri River Energy Services		3724 West Avera Drive P.O. Box 88920 Sioux Falls SD, 57108-8920 United States	Electronic Service	No	24-263CN-24-263

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View
								Trade Secret	Service List Name
1	Lisa	Agrimonti	lagrimonti@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No 24-264TL-24-264
2	Cody M.	Bauer	cbauer@fredlaw.com	Fredrikson & Byron, P.A.		60 South 6th Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No 24-264TL-24-264
3	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General - Department of Commerce		445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service	Yes	24-264TL-24-264
4	Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce		85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No 24-264TL-24-264
5	Thomas	Hoffman	thoffman@agraelite.com	Agralite Electric Cooperative		320 Highw ay 12 SE Benson MN, 56215 United States	Electronic Service		No 24-264TL-24-264
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No 24-264TL-24-264
7	Kris	Koch	kkoch@otpc.com	Otter Tail Power Company		215 S. Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No 24-264TL-24-264
8	Stephen	Kow al	skow al@bensonmnlaw.com	Wilcox Law Office, P.A.		1150 Wisconsin Avenue Benson MN, 56215 United States	Electronic Service		No 24-264TL-24-264
9	David C.	McLaughlin	dmclaughlin@fluegellaw.com	Western Minnesota Municipal Power Agency		129 2nd Street Ortonville MN, 56278 United States	Electronic Service		No 24-264TL-24-264
10	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General - Residential Utilities Division		1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service	Yes	24-264TL-24-264
11	Will	Seuffert	w ill.seuffert@state.mn.us	Public Utilities Commission		121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service	Yes	24-264TL-24-264
12	Mark	Strohfus	mstrohfus@greenergy.com	Great River Energy		12300 Elm Creek	Electronic Service		No 24-264TL-24-264

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								Delivery Method	Trade Secret
						Boulevard Maple Grove MN, 55369- 4718 United States			
13	Haley	Waller Pitts	hw.allerpitts@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402- 4400 United States	Electronic Service	Yes	24-264TL-24-264
14	Brian	Zavesky	brianz@mrenergy.com	Missouri River Energy Services		3724 West Avera Drive P.O. Box 88920 Sioux Falls SD, 57108-8920 United States	Electronic Service	No	24-264TL-24-264