

**NOTICE OF COMMENT PERIOD
ON CHANGE OF FINANCIAL ASSURANCE**

Issued: May 15, 2023

**In the Matter of the Petition to Transfer a Portion of the Route Permit for the HVDC
Transmission Line System and Associated Facilities in Minnesota**

PUC Docket Number(s): ET2/TL-21-434

Comment Period: Initial comment period closes June 16, 2023 at 4:30pm
Reply comment period closes June 30, 2023 at 4:30pm

Comments received after the close of the comment period may or may not be considered by the Commission.

Issue: On May 3, 2023, Nexus Line, LLC (Nexus or permittee) submitted a petition (May Petition) requesting the Minnesota Public Utilities Commission (Commission) approve a change in the permittee's decommissioning financial assurance mechanism from the current letter of credit to a guaranty. In addition to the May Petition, Nexus submitted an audited financial statement.

In the Commission's March 3, 2022 Order (March 3 Order) Approving the Partial Permit Transfer Request, Order Point 9 included language requiring the Permittee to notify and obtain Commission approval prior to changing the form, terms, or parties to, the decommissioning financial assurance. Additionally, the Commission stated that approval may be conditioned on, among other things, the permittee providing the Commission with an independent third-party analysis regarding the permittee's ability to fund the financial assurance.

Topics Open for Comment:

- Has Nexus met the requirements of Order point 9 in the Commission's March 3 Order?
 - If not, what requirements were not met?
- Do the financial statements and other financial information provided by Nexus in its May Petition demonstrate that the permittee has the ability to fund the decommissioning financial assurance?
 - If not, what additional information should the Commission require Nexus to provide to demonstrate the permittee can fund the decommissioning financial assurance?
- Do the proposed terms of the guaranty provide sufficient protections to ensure Minnesota ratepayers will not have to fund decommissioning of the high voltage transmission line?
 - If not, what changes should be made?

- With the proposed guaranty, how will the public interest be protected in the event of the bankruptcy of the guarantor?
- Is it in the public interest to switch from a letter of credit to a parental guaranty?
- Are there other issues or concerns related to this matter the Commission should consider?

Background: In its March 3 Order, the Commission approved a petition from Great River Energy (GRE), on behalf of itself and Nexus, for a partial transfer of the Construction Permit issued by the Minnesota Environmental Quality Council in Docket No. CUTR-1 on June 3, 1976. The Construction Permit serves as the legacy "Route Permit" for GRE's 400 kV HVDC high voltage transmission line; HVDC Converter Station; and associated HVDC facilities located in west central Minnesota (collectively referred to herein as the "HVDC System"). The HVDC System extends from the North Dakota border in Traverse County to the 345 kV Dickinson Substation in Rockford Township, Wright County, Minnesota, and serves as generator interconnection facilities.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to efile documents using the Commission's electronic filing system (eFiling). All parties, participants, and interested persons are encouraged to use eFiling at:

<https://www.edockets.state.mn.us/EFiling>

Submit Public Comments:

Online: <https://mn.gov/puc/get-involved/public-comments/>, and follow the instructions.

Email: consumer.puc@state.mn.us

U.S. Mail: Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul MN 55101

Full Case Record: See all documents filed in this matter on the Commission's website at: mn.gov/puc/edockets, select *Go to eDockets Project Database*, enter the year (21) and the docket number (434), and select *Search*.

Subscribe: To receive email notification when new documents are filed in this matter visit: <https://www.edockets.state.mn.us/EFiling> and select *Subscribe to Dockets*.

Questions about this docket or Commission process and procedure? Contact Commission staff, Charley Bruce, at charley.bruce@state.mn.us or 651-208-2935.

Change your mailing preferences: Email docketing.puc@state.mn.us or call Leesa Norton at 651-201-2246.

To request this document in another format such as large print or audio, call 651-296-0406 (voice). Consumers with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

CERTIFICATE OF SERVICE

I, Mai Choua Xiong, 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

NOTICE OF COMMENT PERIOD ON CHANGE OF FINANCE ASSURANCE

Docket Number **ET2/TL-21-434**

Dated this 15th day of May, 2023

/s/ Mai Choua Xiong

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
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| VJ | Arganwal | agarwalvj@gmail.com | | N/A | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Christina | Brusven | cbrusven@fredlaw.com | Fredrikson Byron | 200 S 6th St Ste 4000 Minneapolis, MN 554021425 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| 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_21-434_Official Service List |
| 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_21-434_Official Service List |
| Lucas | Franco | lfranco@liunagro.com | LIUNA | 81 Little Canada Rd E Little Canada, MN 55117 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Allen | Gleckner | gleckner@fresh-energy.org | Fresh Energy | 408 St. Peter Street Ste 350 Saint Paul, Minnesota 55102 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Sachiko | Graber | sachiko.graber@TNC.ORG | The Nature Conservancy in Minnesota, North Dakota and South Dakota | 1101 West River Parkway Suite 200 Minneapolis, MN 55415-1291 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Erik | Hatlestad | erik@cureriver.org | Cure River | 117 1st St Montevideo, MN 56265 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Kristin | Henry | kristin.henry@sierraclub.org | Sierra Club | 2101 Webster St Ste 1300 Oakland, CA 94612 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| John | Ihle | ljihle@rrt.net | PlainStates Energy LLC | 27451 S Hwy 34 Barnesville, MN 56514 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Veda | Kanitz | vmkanitz@gmail.com | | N/A | Electronic Service | No | OFF_SL_21-434_Official Service List |

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| Dan | Leshner | dlesher@greenergy.com | Great River Energy | 12300 Elm Creek Blvd Maple Grove, MN 55369 | Electronic Service | Yes | OFF_SL_21-434_Official Service List |
| Ronald | Meier | rmeier@mcleodcoop.com | Mcleod Cooperative Power | 3515 11th St East Glencoe, MN 55336 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Peder | Mewis | pmewis@cleangridalliance.org | Clean Grid Alliance | 570 Asbury St. St. Paul, MN 55104 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Evan | Mulholland | emulholland@mncenter.org | Minnesota Center for Environmental Advocacy | 1919 University Ave W Ste 515 Saint Paul, MN 55101 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Duane | Ninneman | duane@cureriver.org | Clean Up the River Environment | 117 South 1st St Montevideo, MN 56265 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Carol A. | Overland | overland@legalelectric.org | Legalelectric - Overland Law Office | 1110 West Avenue Red Wing, MN 55066 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| 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_21-434_Official Service List |
| 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_21-434_Official Service List |
| Beth | Soholt | bsoholt@cleangridalliance.org | Clean Grid Alliance | 570 Asbury St Ste 201 Saint Paul, MN 55104 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Cooper | Stewart | cooper@strongholdicf.com | | N/A | Electronic Service | No | OFF_SL_21-434_Official Service List |

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| Timothy | Sullivan | tsullivan@whe.org | Wright Hennepin Coop. Electric Assn. | 6800 Electric Drive PO Box 330 Rockford, MN 55373 | Electronic Service | No | OFF_SL_21-434_Official Service List |
| Sam | Villella | sdvillella@gmail.com | | 10534 Alamo Street NE Blaine, MN 55449 | Electronic Service | No | OFF_SL_21-434_Official Service List |

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| Sarah | Beimers | sarah.beimers@state.mn.us | Department of Administration - State Historic Preservation Office | 50 Sherburne Avenue Suite 203 St. Paul, MN 55155 | Electronic Service | No | SPL_SL__Agency Reps |
| David | Bell | david.bell@state.mn.us | Department of Health | POB 64975 St. Paul, MN 55164 | Electronic Service | No | SPL_SL__Agency Reps |
| Annie | Felix Gerth | annie.felix-gerth@state.mn.us | | Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155 | Electronic Service | No | SPL_SL__Agency Reps |
| Todd | Green | Todd.A.Green@state.mn.us | Minnesota Department of Labor & Industry | 443 Lafayette Rd N St. Paul, MN 55155-4341 | Electronic Service | No | SPL_SL__Agency Reps |
| Chad | Konickson | chad.konickson@usace.army.mil | U.S.Army Corps of Engineers | 180 5th St # 700 Saint Paul, MN 55101 | Electronic Service | No | SPL_SL__Agency Reps |
| Stacy | Kotch Egstad | Stacy.Kotch@state.mn.us | MINNESOTA DEPARTMENT OF TRANSPORTATION | 395 John Ireland Blvd. St. Paul, MN 55155 | Electronic Service | No | SPL_SL__Agency Reps |
| Dawn S | Marsh | dawn_marsh@fws.gov | U.S. Fish & Wildlife Service | Minnesota-Wisconsin Field Offices 4101 American Blvd E Bloomington, MN 55425 | Electronic Service | No | SPL_SL__Agency Reps |
| Stephan | Roos | stephan.roos@state.mn.us | MN Department of Agriculture | 625 Robert St N Saint Paul, MN 55155-2538 | Electronic Service | No | SPL_SL__Agency Reps |
| Jayme | Trusty | execdir@swrdc.org | SWRDC | 2401 Broadway Ave #1 Slayton, MN 56172 | Electronic Service | No | SPL_SL__Agency Reps |
| Jen | Tyler | tyler.jennifer@epa.gov | US Environmental Protection Agency | Environmental Planning & Evaluation Unit 77 W Jackson Blvd. Mailstop B-19J Chicago, IL 60604-3590 | Electronic Service | No | SPL_SL__Agency Reps |

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| 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 | SPL_SL__Agency Reps |
| Alan | Whipple | sa.property@state.mn.us | Minnesota Department Of Revenue | Property Tax Division 600 N. Robert Street St. Paul, MN 551463340 | Electronic Service | No | SPL_SL__Agency Reps |
| Jonathan | Wolfgram | Jonathan.Wolfgram@state.mn.us | Office of Pipeline Safety | 445 Minnesota St Ste 147 Woodbury, MN 55125 | Electronic Service | No | SPL_SL__Agency Reps |

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| Carol A. | Overland | overland@legalectric.org | Legalelectric - Overland Law Office | 1110 West Avenue Red Wing, MN 55066 | Electronic Service | No | SPL_SL_21-434_Special Service List |

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| Benjamin | Benoit | Ben.Benoit@llojibwe.net | Leech Lake Band of Ojibwe | 190 Sailstar Dr Cass Lake, MN 56633 | Electronic Service | No | SPL_SL__Tribal Historic Preservation Offices |
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| Kade | Ferris | kade.ferris@redlakenation.org | Red Lake Region | PO Box 274 Red Lake, MN 56671 | Electronic Service | No | SPL_SL__Tribal Historic Preservation Offices |
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| Terry | Kemper | Terry.Kemper@millelacsband.com | Mille Lacs Band of Ojibwe | 43408 Oodena Dr Onamia, MN 56359 | Electronic Service | No | SPL_SL__Tribal Historic Preservation Offices |
| Samantha J | Odegard | samanthao@uppersiouxcommunity-nsn.gov | Upper Sioux Tribal Community | PO Box 147 Granite Falls, MN 56241 | Electronic Service | No | SPL_SL__Tribal Historic Preservation Offices |
| Evan | Schroeder | evanschroeder@fdlrez.com | Fond du Lac Band of Superior Chippewa | 1720 Big Lake Road Cloquet, MN 55720 | Electronic Service | No | SPL_SL__Tribal Historic Preservation Offices |
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| Noah | White | noah.white@piic.org | Prairie Island Indian Community | 5636 Sturgeon Lake Road Welch, MN 55089 | Electronic Service | No | SPL_SL_Tribal Historic Preservation Offices |