

## Staff Briefing Papers

**Meeting Date** June 4, 2026

**Agenda Item 4\*\***

**Company** Minnesota Power and American Transmission Company, LLC

**Docket No.** E015/CN-25-111; E015/TL-25-112

**In the Matter of the Application of Minnesota Power and American Transmission Company, LLC for a Certificate of Need and Route Permit for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Project.**

**Issues**

- Should the Commission issue the draft route permit prepared by Public Utilities Commission Energy Infrastructure Permitting (PUC EIP) staff?
- Should the Commission find that an Environmental Assessment (EA) addendum is required for the Project? And if so, should the Commission approve the scope of the EA addendum and Environmental Report (ER) recommended by PUC EIP staff?
- Should the Commission refer the matter to the Court of Administrative Hearings (CAH) and request the appointment of an Administrative Law Judge (ALJ) to preside over public hearings and prepare Findings of Fact, Conclusions of Law, and Recommendations on the merits of the proposed route permit application and any necessary route permit conditions?
- Should the Commission extend the 216I statutory timeline from six months to a sufficient amount of time to make a decision on the certificate of need application and route permit application?

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

✓ <b>Relevant Documents</b>	<b>Date</b>
MP and ATC – Notice Plan Petition	08/07/2025
MP and ATC – Request for Exemptions	08/07/2025
PUC - Order	11/18/2025
MP and ATC – Combined Application (12 parts)	01/05/2026
MP and ATC - Notice Plan Filing	01/09/2026
PUC – EIP Staff Recommendations on Certificate of need Application Completeness and Rule Variance (Under Docket No. CN-25-111)	01/15/2026
PUC – Order	01/23/2026
MP and ATC – Request to Reschedule Public Information and Scoping Meetings	02/05/2026
PUC – Notice of Cancellation Public Information and Scoping Meetings	02/06/2026
PUC – St. Louis County Land and Minerals Department Comments	02/24/2026
PUC – Notice of Complete Application and Rescheduled Public Information and Scoping Meetings	03/12/2026
MP and ATC – Updated Agricultural Impact Mitigation Plan (AIMP)	03/31/2026
MP and ATC – Comments to Clarify the Project Need	04/02/2026
World Organization for Landowner Freedom (WOLF) – WOLF Comment on MP Google Data Center ESA	04/08/2026
PUC – Oral Comments from Public Information and Scoping Meetings	04/15/2026
MnDOT - Comments	04/22/2026
DNR – Natural Heritage Review Letter and Comments (2 parts)	04/23/2026
CURE – Comments and Attachments (3 parts)	04/23/2026
MP and ATC – Comments	04/23/2026
Minnesota Tribal Energy Resources Association (MTERA) - Comments	04/27/2026
World Organization for Landowner Freedom – Wolf Late-Filed Comment	04/28/2026
PUC – Written Public Comments Received	04/28/2026
MP and ATC – Comments on Request to Stay Proceedings	04/30/2026

Attachment A – Draft Scoping Decision

Attachment B – Draft Route Permit

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## I. ISSUES

- Should the Commission issue the draft route permit prepared by PUC EIP staff?
- Should the Commission find that an Environmental Assessment (EA) addendum is required for the Project? And if so, should the Commission approve the scope of the EA addendum and Environmental Report (ER) recommended by PUC EIP staff?
- Should the Commission refer the matter to the Court of Administrative Hearings (CAH) and request the appointment of an Administrative Law Judge (ALJ) to preside over public hearings and prepare Findings of Fact, Conclusions of Law, and Recommendations on the merits of the proposed route permit application and any necessary route permit conditions?
- Should the Commission extend the 216I statutory timeline from six months to a sufficient amount of time to make a decision on the certificate of need application and route permit application?

## II. PROJECT BACKGROUND

Minnesota Power (MP) and American Transmission Company, LLC (ATC, and collectively, the applicants) have submitted a combined certificate of need (CN) and route permit application for the Iron Range – St. Louis County – Arrowhead 345-kilovolt (kV) Transmission Project (ISA Project or Project) to the Minnesota Public Utilities Commission (Commission or PUC). This Project was proposed as part of the Midcontinent Independent System Operator Inc. (MISO) Long-Range Transmission Plan (LRTP) Tranche 2.1 Portfolio of Projects intended to help grid reliability and efficiency. The applicants argued that the project is needed to increase efficiency and regional transfer capability in order to transfer clean energy from where it is produced to where it is needed.

The proposed Project would involve construction of approximately 67.5 miles of transmission line from Minnesota Power's Iron Range Substation near Grand Rapids, Minnesota to Minnesota Power's St. Louis County Substation near Hermantown, Minnesota, with a connection to American Transmission Company's nearby Arrowhead Substation along portions of Itasca and St. Louis Counties. The proposed route would be located along, and in some cases replace, existing high-voltage transmission lines for 92 percent of its length. The Project would require 250 feet of ROW in total and the applicants have requested a total route width of 500 feet on either side of the alignment (1,000 feet in total). The Project may share the existing ROW of 130 feet in some areas, up to 30 feet, with an additional 150 feet of ROW required. New transmission lines would be required to connect the existing substations in Grand Rapids and Hermantown. The proposed Project would also include modifications to the Iron Range Substation, St. Louis County Substation, and the ATC Arrowhead Substation.



Specifically, the applicants propose construction of the transmission line in three segments as described in their combined application:<sup>1</sup>

1. **Segment 1** - Construct approximately 32.7 miles of new single-circuit 345 kV line on double-circuit capable structures, to be built along existing 230 kV transmission line rights-of-way owned by Minnesota Power from the existing Minnesota Power Iron Range Substation and continuing to the north of the St. Louis River in St. Louis County. The proposed transmission line will be co-located for 87 percent of its length with existing high-voltage transmission lines owned by Minnesota Power.
2. **Segment 2** - Replace approximately 33.3 miles of existing 230 kV line with new double-circuit 345 kV structures and conductors from north of the St. Louis River in St. Louis County to the existing St. Louis County Substation in Solway Township, utilizing and expanding the existing high-voltage transmission line rights-of-way owned by Minnesota Power. One circuit in this segment will be operated at 345 kV and the other circuit will continue to operate at 230 kV. The 230 kV circuit will operate on the 345 kV double-circuit structures and will use the new 345 kV conductor but will be operated at 230 kV. The 230 kV circuit will be upgraded to 345 kV at a future date when conditions warrant energizing at 345 kV.
3. **Segment 3** - Construct approximately 1.5 miles of new double-circuit 345 kV transmission line that is co-located with existing high voltage transmission line for 50 percent of its length, jointly owned by Minnesota Power and ATC, from Minnesota Power's St. Louis County Substation in Solway Township to the existing ATC Arrowhead Substation in Hermantown.

Additionally, the applicants also proposed the following substation improvements as described in their combined application:<sup>2</sup>

1. Modification of the Iron Range Substation to accommodate one additional 345 kV line entrance and associated high voltage equipment. An expansion of Minnesota Power's Iron Range Substation, including 500 kV/345 kV transformers and 345 kV equipment, is currently under construction as part of the Northland Reliability Project (Docket Nos. E015,ET2/CN-22-416 and E015,ET2/TL-22-415) and will require further modification and equipment additions to accommodate the ISA Project.
2. Expansion of the St. Louis County Substation to accommodate three additional 345 kV line entrances and associated high voltage equipment. The St. Louis County Substation is currently under construction as part of Minnesota Power's HVDC Modernization Project (Docket Nos. E015/CN-22-607 and E015/TL-22-611) and will require an expansion to accommodate the ISA Project.

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<sup>1</sup> Applicants – [Combined Application and Appendices A through D](#), 01/05/2026

<sup>2</sup> Id.



3. Expansion of the existing ATC Arrowhead Substation to accommodate two additional 345 kV line entrances and associated high voltage equipment.

In their application, the applicants proposed to start construction of the Project by 2029 with an estimated in-service date of 2032 and provided an estimated total Project cost between \$444.1 and \$519.3 million dollars (2024\$).

### III. RULES AND STATUTES

#### A. Certificate of Need

Under Minn. Stat. § 216B.243 Subd. 2, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the Commission.

As defined by Minn. Stat. § 216B.2421 Subd. 2, any high-voltage transmission line with a capacity of 300 kilovolts or more and greater than one mile in length in Minnesota is defined as a “large energy facility.” The proposed ISA Project would involve construction of approximately 67.5 miles of 345-kV transmission line and therefore meets the definition of a large energy facility.

Under Minn. R. 7829.1200, informal or expedited proceedings may be used when contested case proceedings are not required.

Minn. R. 7849.1200 – 7849.2100 set forth procedures for preparing the environmental report for a proposed high voltage transmission line at the need stage.

#### B. Route Permit

Under Minn. Stat. § 216I.05 Subd. 2, no person may construct a high-voltage transmission line without a route permit issued by the Commission. Additionally, a high-voltage transmission line may only be constructed along a route approved by the Commission

As defined by Minn. Stat. § 216I.02 Subd. 8, a high-voltage transmission line means a conductor of electric energy and associated facilities that is (1) designed for and capable of operation at a nominal voltage of 100 kilovolts or more, and (2) is greater than 1,500 feet in length. The proposed ISA Project would involve construction of approximately 67.5 miles of 345-kV transmission line, and therefore meets the definition of a high-voltage transmission line.

Under Minn. Stat. § 216I.07 Subd 2(5), an applicant may follow standard review procedures for high-voltage transmission lines with a capacity in excess of 300 kilovolts, if at least 80 percent of the distance of the line in Minnesota, as proposed by the applicant, is located along existing high-voltage transmission line right-of-way. The applicants notified the Commission that the proposed ISA Project would be located along, and in some cases replace, existing high-voltage transmission lines for 92 percent of its length, and therefore, have elected to follow the standard review procedure.

Under Minn. Stat. § 216I.07 Subd. 3, for projects following the standard review process, applicants must prepare and submit an EA with the application containing information on the proposed project's human and environmental impacts and mitigating measures. If after the public meeting, the Commission identifies other routes or potential impacts for review beyond what was included as part of the applicant prepared EA, Commission staff must prepare an EA addendum.

#### IV. PROCEDURAL HISTORY

##### 1) Application Completeness

On January 5, 2026, the applicants filed a Combined Certificate of Need and Route Permit Application (12 parts).

On January 7, 2026, a public comment from Joan Weyandt was received.<sup>3</sup>

On January 9, 2026, the applicants filed a Notice Plan Compliance Filing.<sup>4</sup>

On January 15, 2026, PUC Energy Infrastructure Permitting (EIP) staff filed recommendations on Certificate of Need Application Completeness and Rule Variances.<sup>5</sup>

On January 20, 2026, PUC EIP filed a route permit application completeness determination letter.<sup>6</sup>

On January 22, 2026, PUC EIP filed a Notice of Complete Application and Public Information and Scoping Meetings (2 parts).

On January 23, 2026, the PUC issued an Order finding the Certificate of Need portion of the Combined Application complete, authorizing review of the Certificate of Need using the informal comment and reply process under 7829.1200, and granting variances to Minnesota Rules 7849.1200 and 7849.1400 to authorize PUC EIP staff to prepare the ER for the project.<sup>7</sup>

On January 26, 2026, Reed Elling submitted a comment regarding residential impacts and routing flexibility.<sup>8</sup> Also on January 26, the PUC received a comment from Emma Richtman regarding the proposed Hermantown data center including an invitation to meet with Commissioners.<sup>9</sup>

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<sup>3</sup> Public Comment – [Joan Weyandt](#), 01/07/2026

<sup>4</sup> Applicants – [Notice Plan Filing](#), 01/07/2026

<sup>5</sup> PUC – [Staff Recommendations on Certificate of Need Application Completeness and Rule Variance](#), 04/22/2026

<sup>6</sup> PUC – [Application Completeness Determination](#), 01/20/2026

<sup>7</sup> PUC – [Order](#), 01/23/2026

<sup>8</sup> Public Comment – Reed Elling, [Residential Impacts and Routing Flexibility](#), 01/26/2026

<sup>9</sup> Public Comment – Emma Richtman, [Request to Meet](#), 01/26/2026

On January 27, 2026, PUC EIP filed a sample high-voltage transmission line (HVTL) permit.<sup>10</sup>

On February 3, 2026, the applicants filed a supplemental filing that included additional information regarding potential impacts on property values, aesthetics, and wildlife and further discussion of possible mitigation measures for noise, socioeconomics, environmental justice, archaeological and historic resources, air quality, groundwater, soils, vegetation, and wildlife.<sup>11</sup>

On February 4, 2026, the PUC filed a response to Emma Richtman's comment.<sup>12</sup>

On February 5, 2026, the applicants filed a Request to Reschedule Public Information and Scoping Meetings.<sup>13</sup>

On February 6, 2026, PUC EIP filed a Notice of Cancellation of the Public Information and Scoping Meetings.<sup>14</sup>

On February 9-12, 2026, approximately 20 public comments were filed to eDockets.<sup>15</sup>

On February 13, 2026, public comments were received from Thomas Bates and JoAnne Bates.<sup>16</sup>

On February 23, 2026, World Organization for Landowner Freedom (WOLF) submitted a comment requesting an extension of the scoping comment period.<sup>17</sup>

On February 24, 2026, PUC filed four comments on behalf of Reed Elling, Rebecca Gramdorf, Casey Modich, and Kristina Modich.<sup>18</sup> Also on February 24, St. Louis County Land and Minerals Department submitted a comment regarding easements that would be crossed by the proposed Project.<sup>19</sup>

On February 26, 2026, Emma Richtman submitted a public comment.<sup>20</sup>

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<sup>10</sup> PUC EIP – [HVTL Sample Permit](#), 01/27/2026

<sup>11</sup> Applicants – [Supplemental Filing](#), 02/03/2026

<sup>12</sup> PUC – [Response to Public Comment](#), 02/04/2026

<sup>13</sup> Applicants – [Request to Reschedule Public Information and Scoping Meetings](#), 02/05/2026

<sup>14</sup> PUC EIP – [Notice of Cancellation Public Information and Scoping Meetings](#), 02/05/2026

<sup>15</sup> [Comments](#) were received from Shyanne McGregor; Anne Nelson; Kiera Simmons; Kyle Caskey; Leah Berg; Jonathan Thornton; Emma Richtman (4 filings); Catherine Kohlmeier; Melissa Carlson; Brian Nickell; Lisa Fitzpatrick; Drew Anderson; Heidi Villeneuve; Barbara Akre; Kian McDonough; Chanda Blesi; Ahnika Berg, 02/06/2026 – 02/12/2026

<sup>16</sup> Public Comments – [Thomas Bates \(comment #6\)](#) and [JoAnne Bates \(comment #2\)](#)

<sup>17</sup> WOLF – [Request for Extension of Scoping Comments](#), 02/23/2026

<sup>18</sup> PUC – [Public Comments](#) by Reed Elling, Rebecca Gramdorf, Casey Modich, and Kristina Modich, 02/24/2026

<sup>19</sup> St. Louis County Land and Minerals Department – [Comments](#), 02/24/2026

<sup>20</sup> Public Comment – [Emma Richtman](#), 02/26/2026

On February 27, 2026, Timothy Tapani submitted a public comment.<sup>21</sup> Also on February 27, Carol Overland (Legalelectric) filed a comment regarding Xcel Energy's peak demand.<sup>22</sup>

On March 12, 2026, PUC EIP filed a Notice of Complete Application and Rescheduled Public Information and Scoping Meetings.<sup>23</sup>

On March 24, 2026, PUC EIP filed public comments from Brian Schroeder and James and Karen Patnaude.<sup>24</sup>

On March 31, 2026, the applicants filed an updated Agricultural Impact Mitigation Plan (AIMP).<sup>25</sup>

On April 1, 2026, MISO submitted comments under the Certificate of Need docket regarding the MISO planning process that identified and studied the proposed Project.<sup>26</sup>

On April 2, 2026, the applicants filed comments clarifying project need.<sup>27</sup>

## 2) Environmental Report and Environmental Assessment Addendum Scoping

On April 6 and 7, 2026, PUC EIP staff held in-person public information and scoping meetings along the proposed route of the ISA Project in the cities of Grand Rapids, Floodwood, and Hermantown, Minnesota. Approximately 100 members of the public attended the in-person meetings with the highest attendance at the Hermantown meeting.

On April 8, 2026, Carol Overland (WOLF) submitted comments regarding the potential impacts of the Hermantown data center on the electrical grid.<sup>28</sup>

On April 9, 2026, PUC EIP held a virtual public information and scoping meeting. Approximately 20 members of the public attended the virtual meeting.

Also on April 9, 2026, Annette Ralph submitted a public comment.<sup>29</sup> On April 14, 2026, Carol Overland (Legalelectric) filed a petition for rulemaking in several transmission dockets at the Commission, and requested the Commission stay this proceeding until it completes rulemaking.<sup>30</sup>

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<sup>21</sup> Public Comment – [Timothy Tapani](#), 02/27/2026

<sup>22</sup> Carol Overland/Legalelectric – [Public Comment](#), 02/27/2026

<sup>23</sup> PUC EIP – [Notice of Complete Application and Rescheduled Public Information and Scoping Meetings](#), 03/12/2026

<sup>24</sup> Public Comments – [Brian Schroeder](#) and [James and Karen Patnaude](#), 03/24/2026

<sup>25</sup> Applicants – [Updated Agricultural Impact Mitigation Plan](#), 03/31/2026

<sup>26</sup> MISO – [Comments](#), 04/01/2026

<sup>27</sup> Applicants – [Comments to Clarify the Project Need](#), 04/02/2026

<sup>28</sup> Carol Overland/WOLF – [WOLF Comment on MP Google Data Center ESA](#), 04/08/2026

<sup>29</sup> Public Comment – [Annette Ralph](#), 04/09/2026

<sup>30</sup> Carol Overland/Legalelectric – [Petition for Rulemaking](#), 04/14/2026

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Also on April 14, 2026, PUC EIP staff filed a comment from Cully Hall.<sup>31</sup>

On April 15, 2026, PUC EIP staff filed transcripts of the oral comments from the public information and scoping meetings.<sup>32</sup>

On April 20, 2026, Lynn Bradford and Richard Johnston submitted public comments.<sup>33</sup>

On April 22, 2026, Jason Patnaude submitted a public comment.<sup>34</sup>

Also on April 22, 2026, the Minnesota Department of Transportation (MnDOT) filed comments and recommendations.<sup>35</sup>

On April 23, 2026, the Minnesota Department of Natural Resources (DNR) filed a DNR Natural Heritage Review Letter and comments.<sup>36</sup>

Also on April 23, 2026, CURE filed scoping comments and two attachments (Attachment A – Equitable Grid Principles and Attachment B – Beyond the Wires: Lessons from Transmission Lines Built with Community Benefits).<sup>37</sup>

Also on April 23, 2026, the applicants filed responses to the comments<sup>38</sup> received during and after the public meetings.

On April 27, 2026, WOLF submitted a comment.<sup>39</sup>

Also on April 27, 2026, the Midwest Tribal Energy Resources Association (MTERA) filed comments.<sup>40</sup>

On April 28, 2026, PUC EIP staff filed a listing of written public comments received.<sup>41</sup>

On April 30, 2026, the applicants filed comments on the request to stay proceedings.<sup>42</sup>

On May 26, 2026, Matt Anderson submitted a comment outside of the comment period.<sup>43</sup>

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<sup>31</sup> Public Comment – [Cully Hall](#), 04/14/2026

<sup>32</sup> PUC EIP – [Oral Public Meeting Comments](#), 04/15/2026

<sup>33</sup> Public Comments – [Lynn Bradford](#) and [Richard Johnston](#), 04/20/2026

<sup>34</sup> Public Comment – [Jason Patnaude](#), 04/22/2026

<sup>35</sup> MnDOT – [Comments](#), 04/22/2026

<sup>36</sup> DNR – [Natural Heritage Review Letter](#) and [Comments](#), 04/23/2026

<sup>37</sup> CURE – [Scoping Comments](#), [Attachment A](#), and [Attachment B](#), 04/23/2026

<sup>38</sup> Applicants – [Comments](#), 04/23/2026

<sup>39</sup> Carol Overland/WOLF – [WOLF Late-Filed Comment](#), 04/27/2026

<sup>40</sup> MTERA – [Comments](#), 04/27/2026

<sup>41</sup> PUC EIP – [Written Public Comments Received](#), 04/27/2026

<sup>42</sup> Applicants – [Comments on Request to Stay Proceedings](#), 04/30/2026

<sup>43</sup> Public Comment – [Matt Anderson](#), 05/26/2026

## V. COMMENTS RECEIVED

### General Commenters

Seventy-six members of the public provided comments throughout the scoping process. Commenters raised questions about the need for the project, including whether it is driven by regional reliability needs or by the proposed Hermantown data center, and how benefits and costs would be distributed among local ratepayers and large-load customers. Many commenters expressed concern about the cumulative effects of multiple infrastructure projects in the area, including existing and proposed substations, multiple transmission lines, and the proposed data center. Many questioned whether the removal of the 800 MVA limit is to serve the large load of the data center. Commenters also raised issues related to eminent domain, past displacement, and mistrust stemming from previous interactions with the applicants, including unannounced property access, vegetation management overspray, and unresolved noise complaints. Several commenters mentioned frustration with the applicants due to past instances of herbicide overspray affecting their personal gardens. Multiple commenters requested a moratorium or extended timeline for public input, and some sought clarity on compliance and enforcement after permitting.

Across the written and oral comments, community members identified a wide range of potential impacts, including aesthetics, property values, privacy and vandalism risks, land use and tree clearing and vegetation management, and the presence of multiple transmission lines on individual parcels. Commenters also raised concerns about human health, including Electric and Magnetic Fields (EMF) exposure, stray voltage, pesticides, noise, and mental and emotional stress. Additional concerns included impacts to livestock, wildlife, orchards, and foraging areas, construction traffic and access routes, and long-term damage from utility entry onto private land. Many commenters requested clearer information about route and alignment alternatives, structure locations, and opportunities to shift alignments to reduce impacts on homes and working lands.

### *Data Center Comments*

Numerous members of the public and members of the *Stop the Hermantown Data Center Citizen Group* commented on the ISA Project's dockets and at the public information meetings. Comments included the following topics:

- Questioning if the data center is the main driver for both the proposed ISA Project and the removal of the 800 MVA limit
- Support for maintaining the 800 MVA limit on the Arrowhead substation
- Environmental impacts (e.g., water and energy usage)
- Opposition to the data center and proposed ISA Project/request for pause on the permitting review process
- Concern over whether the Commission signs non-disclosure agreements



- Requested to re-review the certificate of need and route permit application for the ISA project with consideration for the proposed data centers proximity to the ATC Arrowhead substation
- Lack of transparency
- Concern over impacts to ratepayers from the proposed Project and the proposed Hermantown data center

### **Landowners**

Twenty-five landowners expressed concern about the project's proximity to residences and impacts on the rural character of long-established family properties. Many commenters described past experiences with transmission projects, including prior displacement, eminent domain actions, and vegetation management conflicts. Common themes included requests for a clearly defined centerline, specific structure locations, and reduced routing flexibility near residences. Commenters frequently cited potential loss of privacy, increased visibility of the line due to tree clearing, and changes to the aesthetic and rural character of their properties.

Several landowners proposed alignment adjustments on or near their parcels to reduce impacts, while others asked that the line be moved entirely off their property. Many expressed concerns about property value reductions, noise from substations and transmission lines, EMF exposure, construction disturbance, and long-term access needs for maintenance. Some landowners also raised concerns about cumulative impacts from multiple ongoing infrastructure projects in the area, including the HVDC line, substation expansions, and the proposed data center.

Additional comments focused on environmental and land-use impacts, including loss of old-growth cedar, effects on foraging areas, and the removal of trees that already provide limited screening from existing infrastructure. Several commenters described concerns about herbicide spraying, helicopter trimming, and past overspray incidents affecting gardens and livestock areas. Others worried about impacts to horses, cats, and small-scale farm operations, as well as potential stray voltage. Emotional and social impacts were also raised, including stress related to repeated infrastructure development near their homes, decreasing trust in local government, and the fear of being displaced again. Many commenters requested clearer information, more responsive communication, and meaningful consideration of alternatives that would minimize impacts of the project. Seven landowners provided route alternative segments for the proposed project. These alternatives are discussed further below.

### **MTERA**

In comments filed on April 27, 2026, MTERA discussed the following topics:

- The need for formal Tribal consultation with MTERA Member Tribes through established Commission consultation policies in coordination with the applicants to understand and



mitigate cultural and environmental impacts of the project, as well as potential impacts on Tribal treaty rights of MN tribes.

- News surrounding the proposed Hermantown data center and non-disclosure agreements with the city of Hermantown has highlighted potential impacts for Tribal communities served by the applicants and the proposed Project.
- Requested that the applicants provide information on how large loads may increase regional energy prices for Tribal ratepayers and explore large load tariffs to offset potential increases for all ratepayers served by the applicants. MTERA also expressed concern regarding who will bear the costs of significant infrastructure upgrades and whether the benefits of these upgrades will be for ratepayers or for large load customers.
- Expressed concern that ratepayers will pay increasingly high rates to help invest in significant infrastructure upgrades that are proposed by all MN Investor-Owned Utilities. They stated that it is difficult to determine whether the ballooning cost of the transmission project will benefit ratepayers or allow allocation of power to large loads like hyperscale datacenters.
- Recommended that the Commission discuss, propose, and include stronger community benefits in the final permit, for example, the applicants should include a detailed community benefits plan with a specific plan for each MN Tribe and the regional economy along the proposed transmission corridor. MTERA stated that through community benefits plans, the applicants must demonstrate how Tribes and the regional economies will benefit from the proposed Project and recommended that the final permit also include a plan for specific allocations of power distributed from this project to Tribal communities along the proposed route. MTERA stated its member tribes are often the top employer and play a critical role in the economic health of rural communities and summarized that the applicants' community benefit agreement must ensure Tribes and regional economies benefit from the project.

While Commission staff has summarized MTERA's comments above, staff refers the Commission to MTERA's filing for the full comments.

### **Carol Overland/Legalectric and WOLF**

Carol Overland provided comments on behalf of herself and Legalectric Inc. or on behalf of the World Organization for Landowner Freedom (WOLF). Her comments are summarized below, but staff refers the Commission to Ms. Overland's filing for the full comments:

#### *1) General Comments*

On February 23, 2026, Ms. Overland/WOLF filed a request to extend the open comment period to at least 14 days following the rescheduled public meetings. On February 27, 2026, Ms. Overland /Legalectric filed a comment regarding Xcel Energy's peak demand forecast.

While filed in the ISA Project dockets, her comment does not specifically discuss the proposed ISA Project or the applicants but questions why the MISO Tranche 1 and 2.1 projects have been proposed by MISO.

### *2) Scope of the EA and ER*

At the April 6 and 7, 2026, public information meetings, Ms. Overland recommended a variety of topics to study in an EA addendum and the ER. Suggested topics included:

- Validity of the Project's need
- Direct benefits to ratepayers and the cumulative costs to ratepayers from all projects in the area
- Minnesota-specific benefits
- Utility personal property taxes laid out by each local government unit
- Source of power on the lines and resource types (including power flows)
- Source of equipment and the impacts of tariffs and higher costs
- Extreme weather, wildfires, sabotage, and other impacts
- Health effects from EMFs
- Buy-the-farm law
- Notice of maintenance and vegetation management activities including pesticide application

### *3) Data Center*

On April 8, 2026, Ms. Overland submitted comments on behalf of WOLF. In her comments, she further questioned the stated need for the ISA Project and whether the need is indeed for regional benefits or for the proposed Hermantown data center. She also suggested additional topics to study in an EA addendum and ER. Specifically, she recommended that the EA addendum and ER study cumulative impacts, including costs of interconnection, and phased and connected actions from the proposed data center.

### *4) Procedural and Additional Scoping Comments*

On April 27, 2026, Ms. Overland/WOLF, submitted additional scoping comments. In her comments, she discussed rulemaking and the use of the informal review process for the CN application. Regarding rulemaking, Ms. Overland argued that the repealed Minn. Rule chapter 7850 affects the integrity of the permitting review process for routing and environmental review, and therefore, review of MISO Tranche 2.1 transmission dockets at the Commission should be placed on hold until rulemaking occurs.

Regarding the informal review process, Ms. Overland inquired about the use of the informal comment and reply process under Minnesota Rule 7829.1200 and referenced the Commission's January 23, 2026, Consent Order.<sup>44</sup> She requested further clarification as to

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<sup>44</sup> Commission – [Order](#), 04/27/2026

the procedure and schedule of the informal process and whether the significant interest in this Project would justify use of a different review process. Ms. Overland contended that the CN has facts in dispute, parties have not agreed to informal proceedings, and that informal proceedings are not authorized or required by statute, and so use of the informal process would be inappropriate.

Separately, Ms. Overland also requested consideration of several additional topics to be included in the scope of the EA addendum and ER:

- Phased and connected actions as outlined in Environmental Quality Board (EQB) reviews
- Impacts of the elimination of the 800 MVA limit and how the closure of coal facilities may free up capacity
- Impacts from utilizing highway corridors and ROW and a system alternative for undergrounding
- Power flows to and from the proposed line

## CURE

In their April 23, 2026, comments, CURE provided a discussion regarding the need, cost, scope of environmental review, and permit conditions for the proposed Project. Staff has summarized CURE's comments below but refers the Commission to CURE's filing for the full comments.

### *1) Need for the Proposed Project:*

Regarding the underlying need for the Project, CURE recommended that the Commission should ask whether there would still be a data center or other large load customers proposed at the end of the proposed transmission line if the Project had not been proposed. If not, then the proposed Project is linked, and the costs should be allocated to the new large load customer. Additionally, CURE stated that analysis of the need for the Project must also consider the value of the proposed Project on impacted Tribes and Tribal resources and that the Tribes should have sufficient time and opportunity to participate.

### *2) Cost*

Regarding cost, CURE discussed that the estimated Project cost of between \$444.1 million to \$519.3 million would be a potential 15 percent increase over MISO's original cost estimate and that they believe this is likely an underestimation. CURE stated that Minnesota Power's residential and small business customers should not bear the financial burden of the proposed Project and that costs shouldn't be allocated to all customer classes.

### *3) Scope of Environmental Review*

CURE wrote that the application for the proposed Project described outreach with Tribes, but did not include issues such as alternative analysis, environmental impacts, Tribal energy planning, or community needs. Further, CURE argued that the Project may have

environmental impacts on treaty-protected resources which may not be included in state data or maps. Therefore, engaging and seeking input from expert staff from treaty organization and Tribes would improve environmental review. Additionally, CURE suggested that the Commission prepare an EA addendum and request participation from Tribes. Specifically, CURE stated that the Commission should treat Tribes as cooperating agencies and not stakeholders in the process.

#### *4) Permit Conditions*

If the proposed Project is permitted, CURE stated that the route permit should have conditions based on local, regional, and Tribal benefits for those most impacted by the project and specifically recommended permit conditions for community benefits agreements. CURE further stated that any cost from community benefits agreement conditions should be borne by the applicants and not ratepayers.

### **Saint Louis County Land and Minerals Department**

In a comment filed on February 26, 2026, Nate Anderson, the Deputy Director at the Saint Louis County Land and Minerals Department, explained that the proposed route for the Project crosses significant stretches of land owned by the county and that some of those lands have deed restrictions limiting what can be located on the land. Mr. Anderson provided a map and further explained that the proposed crossings occur southeast of Brookston, south of Highway 2, and north of the St. Louis River and that the county would be unable to grant easements without council review and approval.

### **MISO**

In their April 1, 2026, comments MISO provided a brief description of the organization and an explanation of the regional transmission planning process. In response to comments filed in the Project's dockets, MISO explained that transmission planning is focused on long-range regional system needs and not near-term local load serving objectives. MISO further stated the proposed Project will provide reliability, economic, and public policy benefits to both Minnesota and the Midwest. Additionally, MISO asserted that the proposed Project is necessary to the overall portfolio of MISO 2.1 projects, is the most effective option for meeting the needs of the transmission system, and will prevent reliability issues for the projected transmission system in the future.

### **DNR**

The DNR submitted a natural heritage review letter and a comment letter on April 23, 2026. In their comment letter, DNR covered rare resource impact mitigation, DNR managed areas, and

DNR permitting topics. Their comments are summarized below; staff refers the Commission to DNR's filings for the full comments.

### *1) Rare Resource Impact Mitigation*

The DNR reviewed the application for the proposed Project and the Minnesota Natural Heritage Information System (NHIS) and provided a discussion of their analysis. DNR found that multiple state-listed plant and fish species have been documented in the Project's area and suggested two special permit conditions for mitigation – one condition requiring resubmission of a natural heritage review letter prior to the start of construction and continued consultation with the DNR and a condition for vegetation removal timing restrictions. DNR also provided support for draft permit conditions regarding Avian Flight Diverters and a Vegetation Management Plan (VMP).

Separately, the DNR also recommended addressing MBS Sites of Biodiversity Significance and DNR Native Plant Communities in the VMP. Additionally, they recommended that the applicants restore any disturbed floodplains and riparian zones to pre-construction profile and vegetation to the greatest extent possible, and that details of revegetation should be included in the VMP.

### *2) DNR Managed Areas*

The DNR indicated that the proposed Project will cross or be in the vicinity of state forests, trout streams, aquatic management areas, peat and aggregate resources, and trails. As a result, the DNR supported the Commission's standard permit conditions regarding vegetation removal and proposed a special permit condition for restoring and revegetating floodplain habitat along the ROW to the greatest extent possible and that restoration activities be coordinated with the DNR.

Separately, the DNR also recommended that the Project avoid some areas as outlined in their comments or if not avoidable, minimize impacts by consolidating infrastructure and minimizing additional ROW. The DNR also recommended that the applicants avoid creating new trout stream crossings by following existing ROW and coordinate with the DNR on any impacts to trails.

### *3) DNR Permitting*

The DNR discussed that a Utility License Application is required to obtain a license to cross public waters and state lands and that there may be funding restrictions on state lands that could impact licensing and routing of transmission projects. The DNR further explained that DNR Water Appropriation and DNR Public Waters permits may be required.

## **MnDOT**

In their April 22, 2026, comments, MnDOT stated that they have reviewed the application for the proposed Project and the Early Notification Memo and discussed how the Project is

proposed to traverse or collocate with trunk highways 65, 73, 33 and United States Highway 2 and will be in proximity to or impact MnDOT right-of-way (ROW). Additionally, MnDOT provided comments and recommendations for the applicants and the Commission to consider regarding blowing snow control, scenic byways, and route alignment and collocation considerations.

Regarding blowing snow control, MnDOT suggested that the applicants clarify whether ROW clearing on trunk highway 65 would impact an active snow trap and recommended that the applicants work with MnDOT's Blowing Snow Control team. MnDOT also recommended that the applicants coordinate with MnDOT's scenic byways staff, if they haven't been engaged, and that mitigation measures for unavoidable impacts within the scenic byways be recommended. Regarding route alignment and collocation considerations, MnDOT requested enough time for coordination if any alternative routes are proposed during the permitting review process that would collocate with trunk highway. MnDOT recommended that the applicants stay informed with active MnDOT construction projects and to continue to engage with MnDOT should the Commission issue a route permit.

### **Applicants Responses to Comments**

On April 23, 2026, the applicants filed comments in response to public meeting comments and the permitting review schedule. Their comments are summarized as follows:

#### *1) Vegetation Management*

The applicants stated that they take comments regarding their vegetation management practices seriously and provided a discussion regarding helicopter trimming and the application of herbicides. The applicants explained that helicopter trimming is used by ATC in maintenance activities for the Arrowhead – Weston 345 kV transmission line and that this method is used in certain areas with difficult access to prevent vegetation from causing outages or safety issues. Regarding the application of herbicides, MP explained that the majority of this work is completed by contractors. However, they committed to review comments from the public meeting with vegetation management teams and reiterate that they are required to follow the directions of landowners. Additionally, the applicants stated that the Commission's standard route permit conditions address concerns regarding vegetation management and that there is also a complaint handling procedure.

#### *2) Environmental Report*

The applicants provided comments regarding Minnesota Rules Chapter 7849 and the preparation of an ER for the Project. The applicants are supportive of a joint environmental review document – i.e., one document that includes an EA addendum and ER, if an ER is

necessary. The applicants suggested that an ER is not necessary because the EA provided in the applicants' joint application meets the requirements for ER.

### *3) Cumulative Impacts*

The applicants also provided a discussion on the scope of cumulative impacts to be considered by the Commission in a potential EA addendum. In response to comments made in the dockets and at the public meetings, the applicants stated that the scope should follow and not exceed applicable rules, statutes, and previous Commission Orders.

Specifically, the applicants stated that route permit proceedings are governed by Minn. Stat. § 216I and are not air permit proceedings. The Minnesota Pollution Control Agency's (MPCA) air permitting cumulative impacts statute, Minn. Stat. § 116.065, applies to specific facility types in designated environmental justice areas. Further, the applicants discussed that Minn. R. 4410.0200, subp. 11a, outlines that cumulative potential effects analysis should be project- and geographically-focused, not regional, sector based, or for unrelated or speculative future development.

The applicants further noted that the EA included in their combined application follows the aforementioned statutory boundaries, defined appropriate and relevant regions of influence (ROIs), and studied a variety of environmental impact categories including cumulative potential impacts. Additionally, the applicants stated that they analyzed cumulative impacts consistent with past EAs produced by former Department of Commerce staff, including reasonably foreseeable projects in the proposed Project's area including the Northland Reliability Project, HVDC Modernization Project, and a potential data center in Hermantown.

### *4) Noise from Existing Transmission Infrastructure*

In response to landowner comments regarding noise from existing substations made during the public meetings, the applicants stated that they have completed a noise assessment of the existing MP 230 kV/115 kV and ATC 345 kV/230 kV Arrowhead Substations for the HVDC Modernization project. They provided the results of the noise assessment as an attachment to their comments and discussed how the results of the assessment show that noise levels remain below state noise standard requirements. In response to the noise concerns and request for a sound study by landowner Lynn Bradford at the Hermantown public meeting, the applicants stated that they have declined to conduct a sound study specifically for this landowner. However, the applicants noted that they have provided him with a copy of the noise assessment attached to their comments and reached out to confirm receipt.

### *5) Customer-Specific Transmission Infrastructure in Hermantown*

The applicants noted that there appeared to be confusion concerning what infrastructure would be included as part of the proposed ISA project versus for the proposed Hermantown data center. In response to some comments in the record, the applicants outlined what upgrades and new infrastructure would be included in the ISA project and what

infrastructure already exists. The applicants also provided a discussion on the infrastructure of both the Duluth Loop Reliability Project and the HVDC Modernization project, which are under construction.

Separately, the applicants also provided a discussion of the Google facilities construction agreement (FCA) that Minnesota Power filed with the Federal Energy Regulatory Commission (FERC) and explained what infrastructure and upgrades would be necessary to interconnect the proposed Hermantown data center. In their discussion, the applicants stated that the Google FCA outlines that necessary infrastructure and upgrades will be paid for by Google and not by Minnesota Power's customers.

#### *6) Proposed Schedule*

The applicants responded to PUC EIP staff's proposed permitting review schedule that was presented at the public meetings. In their comments, the applicants proposed a new timeline and stated that they agreed to extend the permitting timeline by only two months due to their request to reschedule the public meetings.

On April 30, 2026, the applicants also filed a response to Carol Overland's request to stay routing and siting applications at the Commission until further rulemaking. In their response, the applicants argued that there is no requirement that the Commission adopt rules, that the ISA project is being reviewed as a joint proceeding with statutory timing requirements that need to be met, and that the request does not provide just cause for a stay.

## VI. STAFF DISCUSSION

### **Should the Commission issue the draft route permit prepared by PUC EIP staff?**

Upon the close of the public comment period after the initial public meetings, the Commission must issue a draft route permit for the project.<sup>45</sup> The draft permit must identify the person or persons who are the permittee, describe the proposed project, and include proposed permit conditions.<sup>46</sup> Staff recommends that the Commission issue the draft route permit as prepared by PUC EIP staff and included in **Attachment B** to these briefing papers.

Staff entered a sample permit into the record on January 27, 2026. The attached draft route permit updates the sample permit with project-specific information. EIP staff identified several issues raised in comments that are addressed in the sample permit and are carried forward in the draft permit, including pesticide application (Attachment B - Section 5.3.11), access to property (Attachment B - Section 5.2), vegetation management (Attachment B - Section 5.3.10), aesthetics (Attachment B - Section 5.3.7), and electric fields (Attachment B - Section 5.4.2). During comment review, EIP staff identified several special permit conditions to include in the draft permit for the Commission's consideration. These conditions include a tree replacement plan to mitigate for tree clearing, a noise study and monitoring, and notification to adjacent

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<sup>45</sup> [Minn. Stat. § 2161.05, Subd. 10](#)

<sup>46</sup> *Id.*

residences to mitigate noise concerns. Staff also proposes conditions requiring coordination with DNR, St. Louis County Land and Minerals Department, MnDOT, and local trail organizations based on several comments in the record. In total, staff recommend eleven special permit conditions in the attached draft route permit (**Attachment B**):

- Section 6.1 would require the applicants to develop a tree replacement plan in coordination with affected landowners, the DNR, and affected counties to replace trees that are removed for the construction of the Project and file the plan with the Commission at least 14 days before the pre-construction meeting. Staff notes the project is anticipated to clear approximately 323 acres of forested land for right-of-way clearing, of which 187 acres are managed by private commercial owners and state agencies. To mitigate these impacts, and consistent with recent Commission permit decisions, staff recommends this special permit condition.
- Section 6.2 would require the applicants to avoid placing infrastructure in aquatic management areas and avoid additional trout stream crossings where practicable. If avoidance is not possible, the applicants must minimize right-of-way expansion and develop site-specific restoration plans in coordination with the DNR. Staff recommends this condition to ensure adequate protection of trout streams, floodplain habitat, and AMA resources.
- Section 6.3 would require the applicants to document coordination with the DNR to identify areas along the designated route that contain rare natural communities or state managed resources. Staff recommends this condition to ensure early identification of sensitive resources and alignment with DNR management priorities.
- Section 6.4 would require the applicants to coordinate with the DNR, snowmobile associations, and local trail organizations regarding potential trail impacts, including temporary closures during construction or maintenance. Staff recommends this condition to maintain trail connectivity and minimize disruptions to recreational users.
- Section 6.5 would restrict tree clearing activities to periods outside the Northern Long-Eared Bat summer occupancy window (April 15–September 30), consistent with U.S. Fish and Wildlife Service guidance. Staff recommends this condition to avoid or minimize impacts to federally protected bat species.
- Section 6.6 would require the applicants to resubmit a Natural Heritage Review and continue consultation with the DNR regarding avoidance measures for state listed threatened and endangered species. Staff recommends this condition to ensure compliance with Minnesota’s Endangered Species Statute and associated rules.
- Section 6.7 would require coordination with the St. Louis County Lands and Minerals Department regarding any impacts to county managed lands. Staff recommends this condition to ensure appropriate land use coordination and protection of county resources.



- Section 6.8 would require the applicants to coordinate with MnDOT’s Blowing Snow Control team regarding potential impacts to the active snow trap along Trunk Highway 65. Staff recommends this condition to maintain roadway safety and preserve MnDOT’s snow control infrastructure.
- Section 6.9 would require the applicants to implement dust control measures on unpaved roads near residences used for construction or operation. Staff recommends this condition to minimize nuisance impacts to nearby landowners.
- Section 6.10 would require the applicants to notify adjacent residences of major noise producing construction activities and maintain a publicly accessible webpage with up-to-date construction schedules. Staff recommends this condition to improve transparency and reduce noise related disruptions.
- Section 6.11 would require the applicants to file a proposed post-construction noise study methodology for substation and associated facilities in Segment 3, conduct the study within 18 months of commercial operation, and comply with MPCA noise standards. Staff recommends this condition to verify operational compliance and ensure noise impacts remain within regulatory limits.

Staff considered other special permit conditions – for example, a community benefits agreement (discussed further, below), and a condition requiring coordination to mitigate impacts to scenic byways – however, staff believes that there are no additional special permit conditions supported by the record at this time.

**Should the Commission find that an EA addendum is required for the Project? And if so, should the Commission approve the scope of the EA addendum and ER recommended by PUC EIP staff?**

Upon the close of the public comment period, the Commission must decide if an EA addendum is needed and, if so, identify the scope of the EA addendum.<sup>47</sup> The Commission is charged with preparing an EA addendum if alternative routes or potential impacts that require further study are identified during the public information and scoping process.<sup>48</sup> Additionally, the Commission<sup>49</sup> must prepare an ER at the need stage after the close of the comment period.<sup>50</sup>

**Impacts of the Proposed Project**

EIP staff has reviewed all comments in the record for impacts, mitigation measures, or route alternatives needing further analysis in an EA addendum, as well as any system alternatives for study in the ER. Comments from the public raised many impacts including, but not limited to,

<sup>47</sup> [Minn. Stat. § 216I.05, Subd.10\(2\)](#)

<sup>48</sup> [Minn. Stat. § 216I.07, Subd.3\(b\)](#)

<sup>49</sup> PUC – [Order](#) granting a variance to Minnesota Rule 7849.1200 and 7849.1400 to transfer environmental report activities to Commission EIP staff, 01/23/2026

<sup>50</sup> [Minn. Rule 7849.1200](#) and [Minn. Rule 7949.1400](#)

noise, property values, vegetation management, EMF, mental health, customer rates, and cumulative effects. Of particular concern in the comments was the cumulative impacts of noise from the combined infrastructure development planned in the St. Louis County Substation and Arrowhead Substation area of Segment 3 (Map 23 and 24). Staff reviewed the applicant provided EA and found that it adequately addresses both cumulative effects and noise impacts of the project and therefore does not recommend either of these topics for further study in an EA addendum; further, staff have proposed special conditions 6.10 and 6.11 to address concerns related to noise. Commenters also requested additional analysis of phased and connected actions, such as the Tranche 2.1 projects and the proposed Hermantown data center project. Staff reviewed these comments and notes that analysis of phased and connected actions is not required under Minn. Stat. § 216I standard review. While staff believe these topics do not warrant further analysis in an EA addendum, staff will evaluate system level interactions and broader infrastructure planning considerations, as appropriate, in the ER prepared under Minn. Rule 7849.

The draft scoping decision outlines topics to be evaluated in the EA addendum as they relate to impacts of the proposed project and any project alternatives. Of note, staff have proposed to further analyze Public Health and Safety, Socioeconomics, Property Values, Noise, Aesthetics, and more (See Attachment A). These topics are proposed to address several comments in the record concerning impacts to rate payers, property values, and mental health, among others.

Staff identified topics from public comments that have informed proposed special permit conditions in the draft permit, as discussed above. Staff also identified alternatives to the proposed route that are discussed in more detail below.

### **Scope of the Environmental Report**

Several comments presented topics related to the scope of the ER, such as the need for the project including removal of the 800 MVA limit, assessing alternative facilities that would meet the need of the project, a no-build alternative, and project cost. These topics will be addressed in the ER. Ms. Overland suggested that the ER analyze the possibility of undergrounding the project along highway and in highway rights-of-way.<sup>51</sup> This is a system alternative and staff has included this alternative in the proposed scoping decision for study in the ER. Mr. Bates suggested that the ER analyze other energy facilities instead of the proposed transmission line.<sup>52</sup> This will be analyzed in the ER as generation rather than transmission, and the use of renewable energy sources; staff has included this in the proposed scoping decision.

Several comments referenced specific topics for study in the ER, such as load impacts from large customers, cumulative cost of all projects in the area, and power flows. Staff do not recommend including these topics in the scope of the ER as the Commission has other processes that directly deal with these matters, such as the development and approval of very

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<sup>51</sup> Carol Overland/WOLF – [WOLF Late-Filed Comment](#), 04/27/2026

<sup>52</sup> PUC EIP – [Oral Public Meeting Comments](#), 04/15/2026

large customers tariffs, Electric Service Agreements, transmission cost recovery Riders and rate cases.<sup>53</sup>

### **MTERA and CURE Comments**

Comments from MTERA and CURE raised issues related to Tribal consultation, potential impacts on Tribal resources, large-load additions, cost allocation, and community benefits. Staff address each of these topics in turn below, and combine topics where appropriate.

With respect to Tribal consultation and potential impacts on Tribal resources, the Commission takes its obligations under Minnesota Stat. § 10.65 seriously and appreciates MTERA's and CURE's comments on the proposed ISA Project. The Commission prioritizes consulting with all eleven federally recognized Tribal Governments annually. If the commenters believe additional issue based consultation with Member Tribes would be beneficial, staff encourages Tribal Governments to raise issues of concern during the next annual consultation, or with a request for specific issue consultation consistent with the PUC's Tribal Consultation Policy.

With respect to cost allocation and described in their application, the applicants anticipated project costs will range between \$444 and \$519M. Minnesota Power's allocated cost will be approximately 2.0 percent using allocations based on Attachment MM of the MISO Tariff and load ratio share based on August 2025 MISO zonal rates and determinants file. The four major Minnesota utility Local Balancing Authority (LBA) (Minnesota Power, Northern States Power, Great River Energy, and Otter Tail Power) will collectively be allocated approximately 18 percent of the total costs for the Project with the rest of the costs being allocated to load in the remaining MISO Midwest Subregion.

Staff reviewed MTERA and CURE's comments for potential human and environmental impacts, route alternatives, or mitigation measures requiring further analysis in an EA addendum. Staff did not identify any new impacts or route specific issues related to Tribal resources that are not already addressed in the applicant prepared EA. Further, the concerns raised in the comments are addressed through other Commission processes, including the Tribal Consultation Policy, Electric Service Agreement filings, and rate cases. MTERA and CURE also recommended that the Commission include community benefits agreements as a permit condition; staff does not recommend adding such a condition at this stage and notes that parties may continue to develop and present community benefits proposals through the public hearing process.

### **Routing Alternatives**

Several commenters proposed route and alignment alternatives, and staff also identified route alternatives to be considered for study in an EA addendum. These alternatives are discussed further below; staff also refers the Commission to the draft scoping decision in **Attachment A**

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<sup>53</sup> PUC – Minnesota Power's Electric Service Agreement with Google, Docket No. E-015/M-26-159 ([eDockets Link](#)).

to these briefing papers. EIP staff recommend that an EA addendum be required for this project to further assess the alternatives identified in public comments.

EIP staff has included in the draft scoping decision only those alternatives that staff believes will assist the Commission in its deliberations on the route permit application. EIP staff initially screened proposed routing alternatives using five criteria:

1. Was the alternative submitted in a timely manner, prior to the end of the public comment period for scoping?
2. Does the alternative contain an explanation of why the route should be included? EIP staff interprets this criterion to require that routing alternatives must mitigate a potential impact of the Project, and this mitigation must be, in general terms, explained by the proposer of the alternative. This suggests that the location of the route alternative must be known to determine if potential impacts are mitigated.
3. Is the alternative outside areas prohibited in Minnesota Rules 7850.4300, for example, state and national parks?
4. Does the alternative meet the applicant's stated need for the project?
5. Is the alternative likely feasible, that is, can the alternative be constructed, and is it likely permissible by state and federal agencies with authority for the construction or operation of the project?

After utilizing these criteria, EIP staff then analyzed the remaining alternatives to determine if their inclusion in the scoping decision would aid in the Commission's decision on the route permit application. EIP staff compared each proposed alternative to other alternatives, if any, that could also avoid or mitigate the impact(s) described by the proposer. If the proposed alternative would impact relatively more human and environmental resources, it is likely that the proposed alternative would not aid in the Commission's decision on the route permit application.

EIP staff used the criteria above to analyze the routing alternatives proposed during the scoping process for the project. EIP staff's review identified a total of six route alternatives (A to F) and five alignment alternatives (AA-1 to AA-5), indicated on the attached maps (see Attachment 1; Maps 3-1 to 3-11).<sup>54</sup>

With respect to the above criteria, all the alternatives were timely, provided adequate explanation of the impact(s) to be mitigated, are outside areas prohibited in Minnesota Rules 7850.4300, meet the stated need for the project, and are likely feasible.

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<sup>54</sup> Route alternatives leave and return to a route; the endpoints of a route are points on a route. They are shorter than a route and do not connect the substations. Alignment alternatives are alternative placements of the line within the route width of a proposed route.

EIP staff believe that route alternatives D, E, F, and alignment alternative AA-1, would not aid in the Commission’s decision on the route permit application. These alternatives impact relatively more human and environmental resources than the proposed route. EIP staff recommend that these routing alternatives not be carried forward for study in the EA addendum.

Accordingly, EIP staff recommends the following alternatives for inclusion in the scope of the EA addendum:

- Route Alternatives A, B, and C
- Alignment Alternatives AA-2, AA-3, AA-4, and AA-5

These recommended routing alternatives are included in staff’s proposed scoping decision (**Attachment A**). A summary of all routing alternatives is included in Table 1.

**Table 1. Alternatives Considered for ISA 345 kV Project EA Addendum**

<b>Alternatives Recommended for Inclusion in EA Addendum</b>	
<i>Name</i>	<i>Source</i>
Route Alternative A	Staff
Route Alternative B	Scoping
Route Alternative C	Scoping
AA-2	Scoping
AA-3	Staff
AA-4	Scoping
AA-5	Staff
<b>Alternatives Not Recommended for Inclusion in EA Addendum</b>	
Route Alternative D	Scoping
Route Alternative E	Staff
Route Alternative F	Scoping
AA-1	Scoping

## ***Alternatives Recommended for Inclusion in the Scope of the EA Addendum***

### Route Alternative A

Based on the review of the application and several comments in the record regarding the proposed activities in Segment 1,<sup>55</sup> EIP staff is proposing an alternative that would replace the 98 Line in Segment 1 instead of co-locating as is proposed (Map 3-6). Replacing the existing structures and upgrading to the 345 kV line in its place along or within the existing transmission line corridor would minimize potential aesthetic and vegetative impacts of the project. By replacing the existing structures with monopole double-circuit 345 kV structures, affected landowners would have a single transmission structure interacting with their property instead of two, and less right-of-way clearing would be required. EIP staff believe that route alternative A would aid in the Commission's decision on the route permit application and recommend that this alternative be included in the scope of the EA addendum.

### Route Alternative B

Mr. Ross Voit resides west of County Road 575 in Goodland, MN along segment 1 of the proposed route. Mr. Voit proposed an alternative<sup>56</sup> that would utilize the eastern property lines of his property, instead of routing across his property (Map 3-7). Mr. Voit indicated that route alternative B has the potential to minimize impacts to a wetland area and move the line farther from his family's house. Because use of the property line has the potential to mitigate the impacts described by Mr. Voit, EIP staff believe that route alternative B would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

### Route Alternative C

Mr. Brian Schroeder resides on Eagle Road along Segment 1 of the proposed route. Mr. Schroeder proposed an alternative<sup>57</sup> that would utilize the eastern property lines of his property, instead of routing through the middle of his property (Map 3-8). Mr. Schroeder indicated that route alternative C has the potential to minimize impacts to his property value and future use of his property. Because use of the property line has the potential to mitigate the impacts described by Mr. Schroeder, EIP staff believe that route alternative C would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

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<sup>55</sup> Public Comments, eDocket No. [20264-231117-01](#), [20264-230437-01](#), [20263-229592-01](#), [20264-230623-01](#).

<sup>56</sup> Comment Letter of Mr. Ross Voit, Written Public Comments, eDockets no. [20264-231117-01](#).

<sup>57</sup> Comment Letter of Mr. Brian Schroeder, Written Public Comments, eDockets No [20263-229592-01](#).

### Alignment Alternative AA-2

Joshua and Biancarose Treasure reside along segment 2 of the proposed route along Highway 8, west of Culver, MN. The Treasures proposed an alternative alignment<sup>58</sup> that would move the transmission line closer to their southern property line (Map 3-2). The Treasures indicated in oral and written comments that AA-2 would minimize impacts to the use of their property (foraging, agricultural) and move the line to a greater distance from their residence to mitigate health impact concerns. Because AA-2 has the potential to mitigate land use and aesthetic impacts, EIP staff believe that AA-2 would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

### Alignment Alternative AA-3

Based on the review of AA-2, EIP staff has proposed an alternative alignment that would align the transmission lines to travel along the western edge of the Treasure's property line and then east along the same southernmost part of the Treasure's property as proposed in AA-2 (Map 3-3). Staff's proposed alignment takes into consideration the Treasure's proposed alignment (AA-2) but follows property lines to further minimize impacts to all landowners. This alternative would minimize additional tree clearing on the adjacent property to the west and still move the line to a greater distance from the Treasure's residence. Because AA-3 has the potential to mitigate vegetative and aesthetic impacts, EIP staff believe that AA-3 would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

### Alignment Alternative AA-4

Mr. Casey Modich resides on Gaus Road along Segment 2. Mr. Modich proposed an alternative alignment<sup>59</sup> that would move the transmission line off his property and to the southwestern edge of his neighbors' property to mitigate impacts to displacement of outbuildings on his property and aesthetics (Map 3-4). This alternative would minimize additional tree clearing near Mr. Modich's residence and move the line to a greater distance from the Modich's residence and a neighboring residence that also commented in the record.<sup>60</sup> Because AA-4 has the potential to mitigate aesthetic and vegetative impacts, EIP staff believe that AA-4 would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

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<sup>58</sup> Comment Letter of Joshua Treasure and Biancarose Treasure, Written Public Comments, eDockets No. [20264-231117-01](#); Oral Comments of Joshua Treasure and Biancarose Treasure, eDocket No. [20264-230437-01](#).

<sup>59</sup> Comment Letter of Mr. Casey Modich, Written Public Comments, eDockets No. [20262-228548-01](#).

<sup>60</sup> February 26, 2026, public comment received from Mr. Timothy Tapani on the ISA 345 kV Project. [20262-228759-01](#).

### Alignment Alternative AA-5

Based on the review of the application, and a comment from an impacted landowner in the record,<sup>61</sup> EIP staff proposed an alternative alignment at the end of Segment 2 that would re-align the transmission line farther into greenfield, while still connecting to the St. Louis County Substation from the north (Map 3-5). This alternative would minimize aesthetic impacts on impacted landowners along the 90 Line and new proposed line corridor, and require less tree clearing for the new right-of-way. Because AA-5 has the potential to mitigate aesthetic and vegetative impacts, EIP staff believe that AA-5 would aid in the Commission's decision on the route permit application. Staff recommend that this alternative be included in the scope of the EA addendum.

### ***Alternatives Not Recommended for Inclusion in the Scope of the EA Addendum***

#### Route Alternative D

Mr. Steven Parker owns three parcels totaling nearly 100 acres along Highway 2, all three are impacted by the HVDC and 98-line rights-of-way. Mr. Parker proposed an alternative route<sup>62</sup> that would co-locate the line along the existing 9 Line corridor between an area just south of the Cloquet River and reconnecting to the 98-line corridor just south of Highway 2 in Segment 2 (Map 3-9). Mr. Parker indicates that this alternative would mitigate property value loss, altering the use of his land, additional utility company access issues, and additional tree clearing on his property. This alternative, while it would mitigate impacts to multiple concerned landowners,<sup>63</sup> would impact additional landowners along the 9 Line corridor and require more tree clearing for the additional right-of-way needed for the co-location. Therefore, EIP staff believe that route alternative D would have relatively more impacts than the proposed route. Therefore, EIP staff recommend that this alternative not be included in the scope of the EA addendum.

#### Route Alternative E

To address several comments from impacted landowners in the record,<sup>64</sup> EIP staff considered an alternative that would co-locate the proposed line along the existing HVDC Line corridor between Minnesota Power's Existing 9 Line to St. Louis County Substation in Segment 2 (Map 3-10). This alternative was considered but rejected in the applicant's application.<sup>65</sup> EIP staff revisited this alternative to assess whether it would have less impacts than the proposed route and mitigate several commenter's concerns. Route alternative E would impact two residences and possibly displace several outbuilding structures, while also requiring additional vegetative clearing due to increased right-of-way. Accordingly, EIP staff believe that route alternative E

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<sup>61</sup> Comment Letter of Mr. Reed Elling, Written Public Comments, eDockets No. [20261-227351-01](#).

<sup>62</sup> Comment letter of Mr. Steven Parker, Written Public Comments, eDockets No. [20264-231117-01](#).

<sup>63</sup> Written Public Comments, eDockets No. [20262-228527-01](#) and [20264-231117-01](#).

<sup>64</sup> Public Comments, eDocket No. [20264-231117-01](#), [20262-228759-01](#), [20264-230772-01](#), [20263-229594-01](#), [20262-228759-01](#), [20262-228548-01](#), [20264-230437-01](#), [20261-227351-01](#), and [20261-226596-01](#).

<sup>65</sup> RPA, p. 105

would have relatively more impacts than the proposed route. Therefore, EIP staff recommend that this alternative not be included in the scope of the EA addendum.

### Route Alternative F

During the public meetings, an alternative was proposed by Ms. Biancarose Treasure<sup>66</sup> to relocate the proposed transmission line on Highway 2 (3-11). Ms. Treasure indicated that this alternative would reduce impacts to rural properties along the proposed route and would lessen impacts to her property specifically, including her personal residential and small scale agricultural endeavors such as foraging, raising farm animals, and wildlife habitat. This alternative would mitigate the concerns of several landowners; however, it would route the line through a more populated area and require navigating multiple towns and cities, resulting in more impacts to residences and more routing constraints. Accordingly, EIP staff believe that route alternative F would have relatively more impacts than the proposed route. Specific to Ms. Treasure's concerns related to impacts on her property, AA-2 and AA-3 would both mitigate her concerns. Therefore, EIP staff recommend that this alternative not be included in the scope of the EA addendum.

### Alignment Alternative AA-1

Mr. Mark Miller resides just south of West County Road 578 along Segment 1 of the proposed route. Mr. Miller proposed an alternative alignment<sup>67</sup> that would move the line to the southwestern side of the existing 98 line to mitigate for aesthetic impacts and require less tree clearing (Maps 3-1a and 3-1b). Although this alternative would require less tree clearing, it would also require multiple line crossings and impact additional residences. Mr. Miller's buildings are over 600 feet from the proposed centerline. EIP staff find that AA-1 would have relatively greater impacts than other routing alternatives that would also mitigate Mr. Miller's concerns (see Route Alternative A). Therefore, EIP staff believe that AA-1 would not aid in the Commission's decision on the route permit application and recommend that this alternative not be included in the scope of the EA addendum.

**Should the Commission refer the matter to the Court of Administrative Hearings (CAH) and request the appointment of an Administrative Law Judge (ALJ) to preside over public hearings and prepare Findings of Fact, Conclusions of Law, and Recommendations on the merits of the proposed route permit application and any necessary route permit conditions?**

Upon the issuance of a draft permit, the Commission must hold a public hearing on the Project.<sup>68</sup> The Commission may request that an administrative law judge (ALJ) from the Court of Administrative Hearings (CAH) conduct the hearings and prepare a report.<sup>69</sup> Based on the complexity of the record and the proposed ISA project, and controversy surrounding the proposed Hermantown Data Center, EIP staff recommends that an ALJ from the CAH be

<sup>66</sup> Oral Public Comments, eDockets No. [20264-230437-01](#).

<sup>67</sup> Comment Letter of Mr. Mark Miller, Written Public Comments, eDockets No. [20264-231117-01](#).

<sup>68</sup> [Minn. Stat. § 216I.05, Subd.4](#)

<sup>69</sup> Id.

requested to conduct the joint public hearings on the route permit and CN application and prepare a full report with Findings of Fact, Conclusions of Law, and Recommendations (ALJ Report) on the merits of the proposed route permit application and any necessary route permit conditions. Because the Commission previously approved an informal review process for the CN, Staff recommends that the Commission ask the ALJ to include in the report a summary of public comments related to the CN hearing, but not make findings, conclusions, or a recommendation on the CN merits.

Commission staff has observed high public engagement on the proposed ISA Project through both comments in the record and participation at the public meetings. Staff has received several comments from landowners regarding possible route and alignment alternatives and special permit conditions. Additionally, members of the public have expressed strong opposition to the proposed Hermantown data center and feel that the ISA Project is linked to the data center. Staff has also received numerous comments that focused on a common theme – a lack of trust in government and transparency issues in connection with the proposed data center. Members of the public have questioned whether the data center is the main driver for the ISA Project, expressed significant concern over potential impacts to ratepayers and the environment, asked if Commission staff sign NDAs, requested a pause or moratorium on the permitting review process, and expressed support for keeping the 800 MVA limit on the Arrowhead substation.

Separately, two permitted transmission line projects, the HVDC Modernization Project and Duluth Loop Reliability Project, are under construction in the area of the proposed ISA Project. As a result, members of the public have raised questions about what activities are related to these projects versus the proposed ISA Project and the Hermantown Data Center. Staff notes that these factors add to the complexity of the proposed Project.

As CAH is an independent, neutral, fact-finding court, not associated with any of the parties involved in the proposed ISA Project, staff believes that requesting an ALJ to preside over the public hearings and prepare a full ALJ Report is responsive to public comments and the public interest in the project. An ALJ Report would also help ensure the Commission has a robust record on which to base its decision, provide a transparent and efficient method to resolve any issues that emerge as the record is developed, and provide unbiased recommendations regarding the route permit application and possible permit conditions.

**Should the Commission extend the 216I statutory timeline from six months to a sufficient amount of time to make a decision on the certificate of need application and route permit application?**

Applicants have requested that the Commission extend the Minn. Stat. § 216I.07, subd. 5(a) deadline for the route permit by two months, reflecting the delay resulting from applicants' request to reschedule the public meetings.

Staff does not believe that an extension of the 216I deadline is necessary in this case, as the longer timeframe provided in the CN statute should control the deadlines in joint proceedings/combined applications for a CN and a route permit.

The CN statute provides that a decision on a CN must be made “[w]ithin 12 months of the submission of an application.” Further “if the commission has not issued an order on the application within the 12 months provided, the commission may extend the time period upon receiving the consent of the parties or on its own motion, for good cause, by issuing an order explaining the good cause justification for the extension.” Minn. Stat. § 216B.243, subd. 5. A final decision on a route permit application for standard review projects under Minn. Stat. § 216I.07 must be made within 6 months of the date the commission determines the application is complete, or within 9 months for just cause or upon agreement with the applicant. Staff notes that while it may be possible to process some joint CN and route permit applications in 9 months or less, there is tension between these two statutory deadlines when applicants file a combined route permit and CN application and request joint proceedings.

Staff believe that for joint proceedings, the longer 12-month deadline should apply to both the CN and the route permit. A CN is a prerequisite for issuing a route permit. See Minn Stat. § 216B.243, subd. 2 (“No large energy facility *shall be sited* or constructed in Minnesota without the issuance of a certificate of need...”); see also 216I.03, subd. 2(a) (“[t]he commission must issue permits for large energy infrastructure facilities in a timely fashion and in a manner consistent with the overall determination of need for the project under section [216B.2425](#) or [216B.243](#), if applicable.”). Both statutes contemplate the CN being issued prior to (or concurrent with) the route permit. Reaching the opposite result— that the shorter 6-month deadline would apply to both the CN and route permit—would allow an applicant to unilaterally shorten the time allowed to process a CN by 50%. Staff does not believe this a reasonable result.

Staff recommends that the processing of this joint CN and route permit application will take approximately one year; major milestones and anticipated dates for each are outlined in the table below. Staff notes that the dates below are draft anticipated dates and may need adjustment for a variety of reasons, including for example, a decision by the Commission that the CN proceeding includes contested issues of fact. Further, if the Commission decides to refer the route application proceeding to the CAH and requests an ALJ prepare a full report with recommendations, a schedule will be developed jointly with Commission staff, the ALJ, the applicant, and the CAH will issue a scheduling order. As another example, the Commission could order that the ALJ prepare a summary of testimony only for both the route and CN application, which may shorten the overall timeline by a few weeks.



Milestone	Dates
Agenda meeting – Draft permit and EA addendum/ER scope decision	6/4/26
Prehearing conference ( <i>scheduled prior to agenda meeting</i> )	Week of 6/8/26
Public notice on the merits of the CN application, with initial, reply and supplemental comment periods	Week of 6/8/26
Commission decision on whether the CN proceeding includes contested issues of fact	End of CN Comment Period
ER / EA Addendum issued ( <i>about 12 weeks from scoping decision</i> )	9/4/26
Notice of public hearings	9/4/26
Public hearings	Week of 9/21/26
Close of comment period ( <i>10 days from public hearings</i> )	10/5/26
Applicant responses to hearing comments and applicant proposed findings of fact ( <i>7 days from close of public comments</i> )	10/13/26
EIP responses to comments and replies to applicant proposed findings ( <i>14 days</i> )	10/27/26
ALJ report with recommendations on the route application and summary of public testimony on the CN application ( <i>30 days from end of briefing</i> )	11/30/26
Exceptions ( <i>15 days by rule</i> )	12/15/26
Agenda meeting	1/14/27

Staff notes that the above schedule illustrates that the EA addendum and ER preparation are concurrent with the public comment period on the merits of the CN application. Provided the CN proceeds as informal review, staff estimates the processing time for this joint application is one year. In other words, it is not the CN review in and of itself that is controlling the overall one year timeline, but rather one year is the estimated time needed to adequately develop the record on this joint proceeding.

Staff notes that this does not mean that the Commission should take 12 months to process a joint CN/site permit application in every case. Rather, the Commission should continue to “right-size” the schedule for a project on a case-by-case basis—with the understanding that the CN statute grants 12 months to process the combined application if needed.

Staff also notes that some commenters have requested that the Commission re-review the certificate of need and route permit application for the Project with additional consideration for the proposed Hermantown data center. One commenter also requested a one-year moratorium on the permitting review process or any other Minnesota Power related development until ongoing litigation regarding the data center’s environmental review is resolved. Staff does not believe a re-review of the certificate of need and route permit application for the ISA project is warranted since the project is at the beginning stages of the permitting review process. Additionally, the permitting review process timeline is guided by statute and staff believes a one-year moratorium on the review process does not align with statutory requirements.

## DECISION OPTIONS

### Draft Route Permit

1. Issue the Draft Route Permit prepared by Commission EIP staff, including the special permit conditions. (Staff)

OR

2. Issue the Draft Route Permit prepared by Commission EIP staff, with modifications.

### Environmental Review

3. Authorize the Commission's EIP staff to prepare an EA Addendum to include the following routing alternatives (Staff):
  - a. Route Alternative A
  - b. Route Alternative B
  - c. Route Alternative C
  - d. Alignment Alternative AA-2
  - e. Alignment Alternative AA-3
  - f. Alignment Alternative AA-4
  - g. Alignment Alternative AA-5

And

4. Adopt the Draft Scoping Decision (Attachment A) for the EA Addendum and the ER. (Staff)

Or

5. Adopt the Draft Scoping Decision (Attachment A) for the EA Addendum and the ER, with the following modifications:
  - a. Include all Tranche 2.1 projects in the environmental review as phased or connected actions. (WOLF)
  - b. Include impacts of the proposed Hermantown data center as a phased or connected action. (WOLF)
  - c. Route Alternative D
  - d. Route Alternative E
  - e. Route Alternative F
  - f. Alignment Alternative AA-1

Or

6. Find that an environmental assessment addendum is not required for the project. Delegate authority to the Executive Secretary to approve an ER scoping decision that is consistent with the Draft Scoping Decision (Attachment A) with respect to ER scope but removes references to an EA Addendum and routing alternatives.

### **Public Hearings**

7. Request that an Administrative Law Judge from the Court of Administrative Hearings preside over the joint public hearings for the project's CN and route permit application and prepare Findings of Fact, Conclusions of Law, and Recommendations on the merits of the proposed Project's route selection and any necessary route permit conditions. The Commission requests that the Judge prepare a summary of public comments related to the certificate of need public hearing, but does not request findings, conclusions, or a recommendation on the merits of the certificate of need application. (Staff)

### **Schedule**

8. Extend the Minn. Stat. § 216I.07, subd. 5(a), deadline for the route permit by two months. (Applicants)

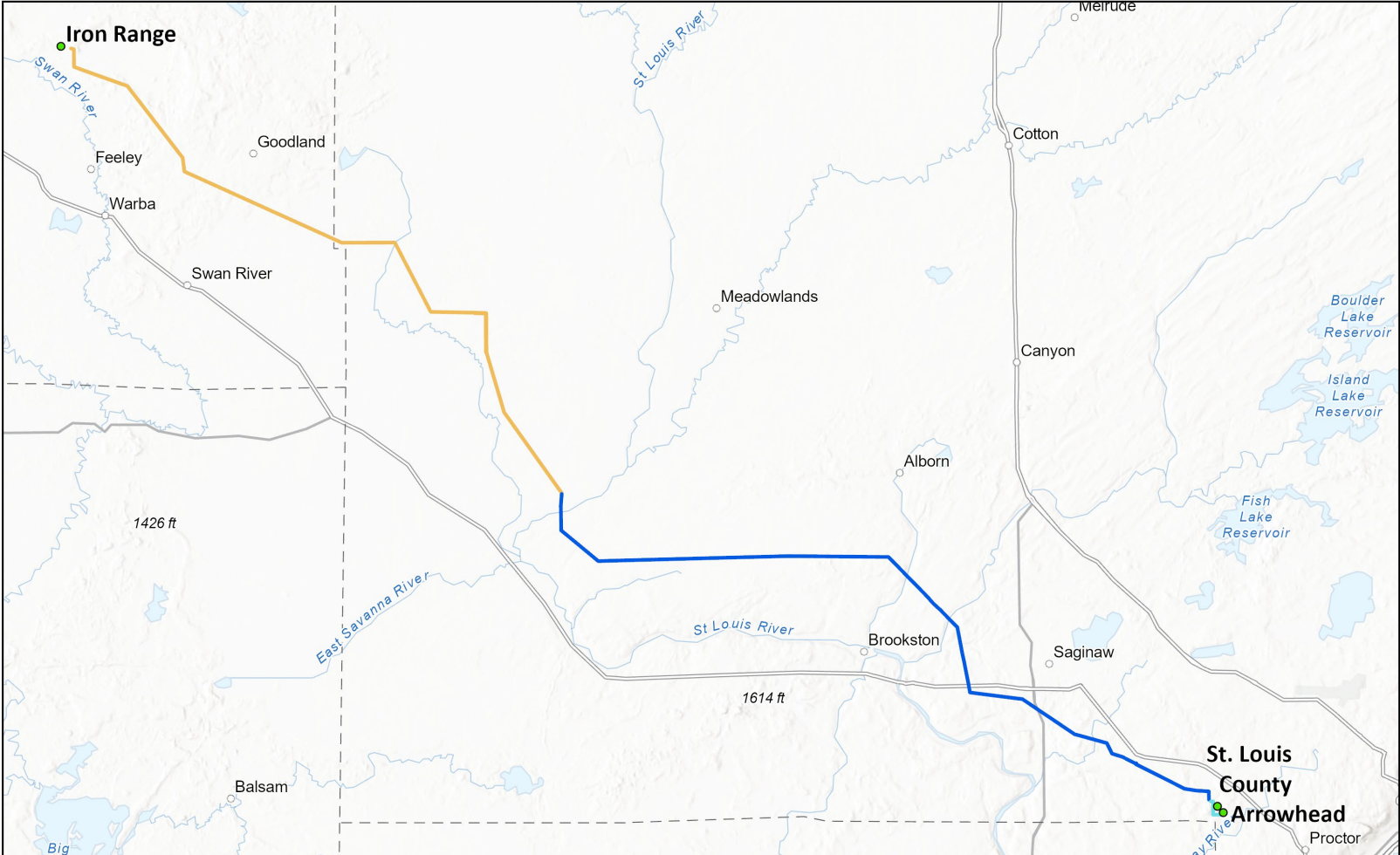
Or

9. Determine that an extension to the route permit deadline is not necessary because the 12-month deadline under Minn. Stat. § 216B.243 applies to this joint certificate of need and route permit proceeding. (Staff)

Or

10. Stay the proceeding until the Commission adopts rules implementing Minnesota Statutes Chapter 216I. (Overland)

**Staff Recommendations:** 1, 3a-g, 4, 7, 9



Iron Range - St. Louis County - Arrowhead 345 kV Transmission Line Project  
Map 1-1

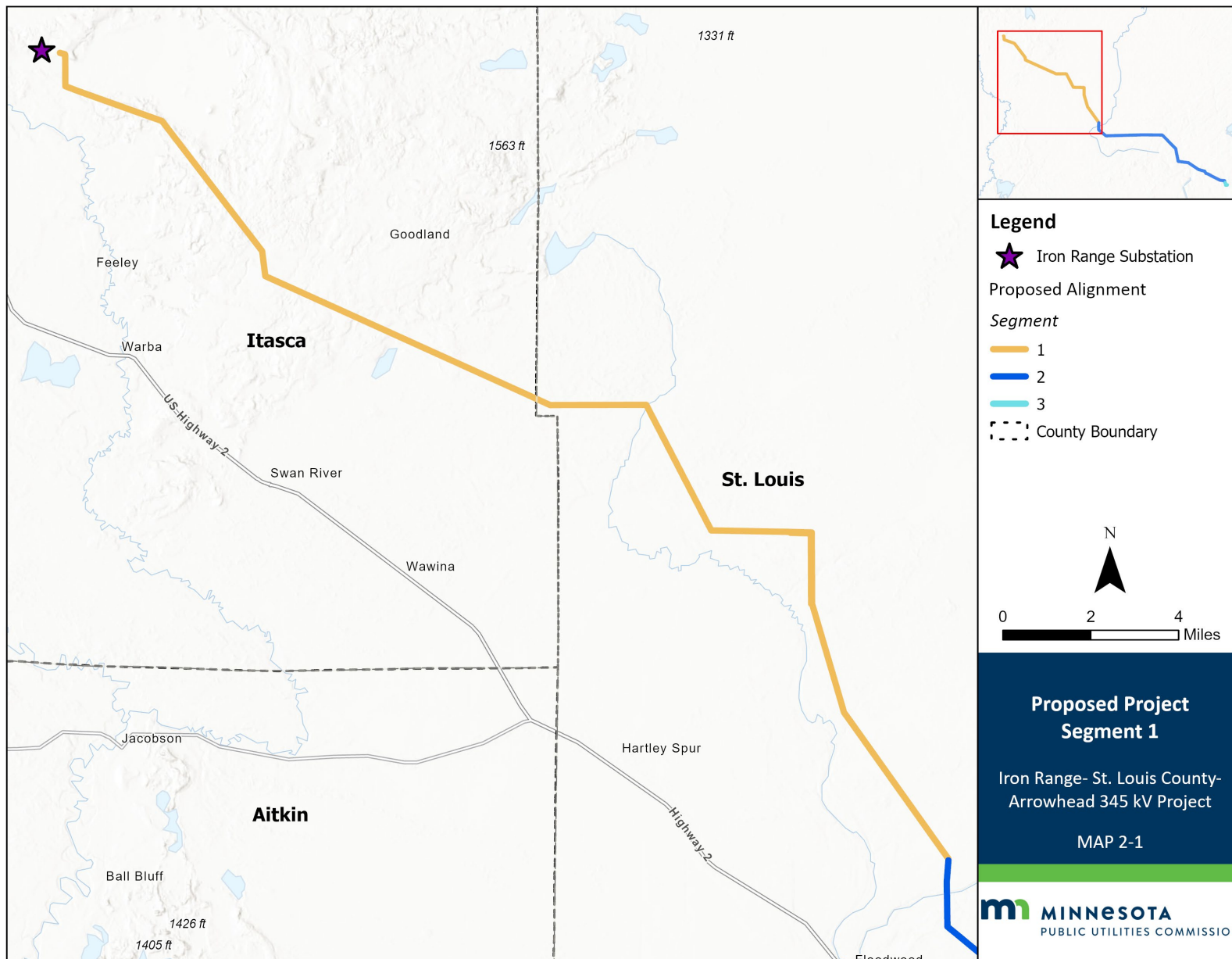


● Substations	Proposed Alignment
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	— 2
	— 3

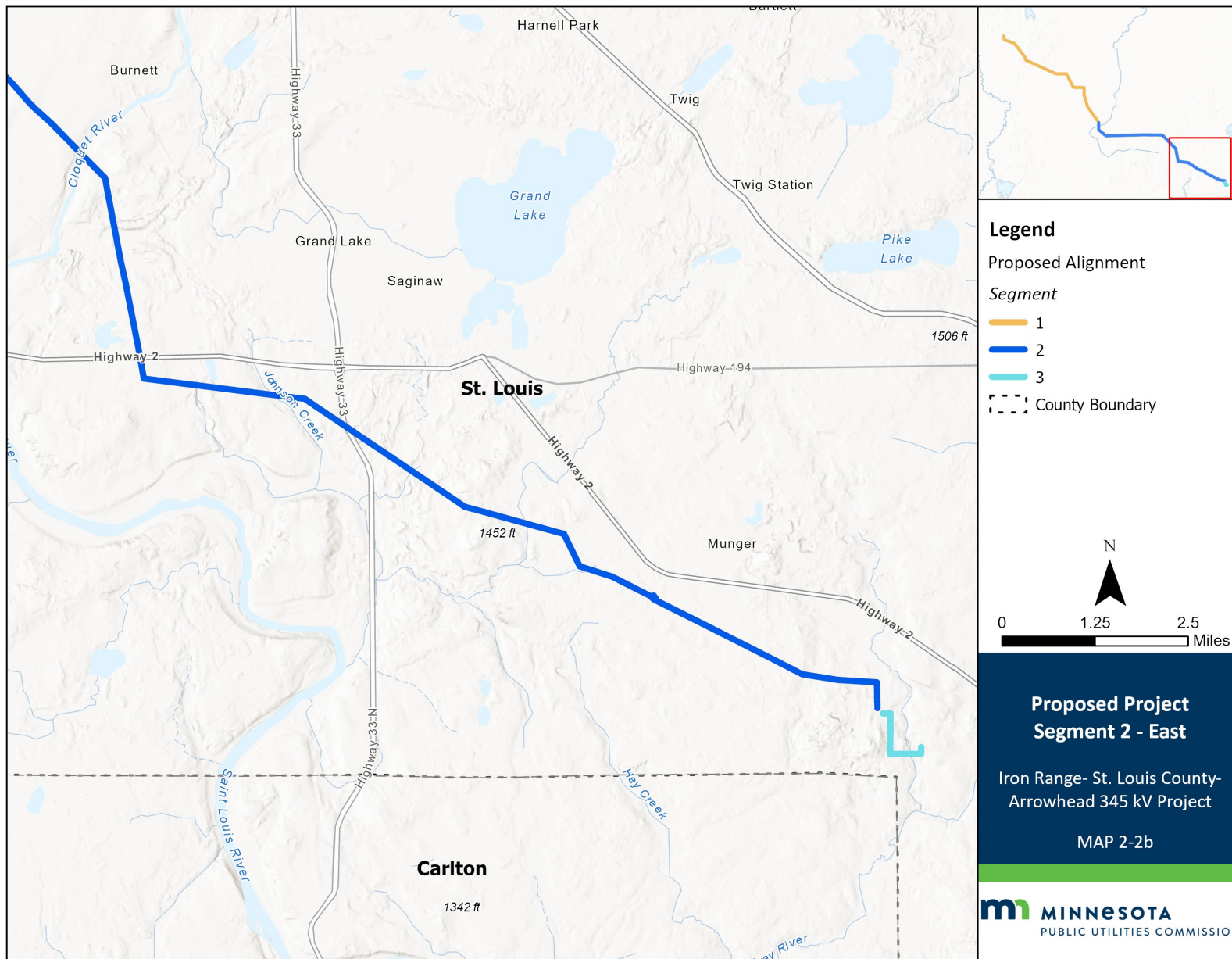
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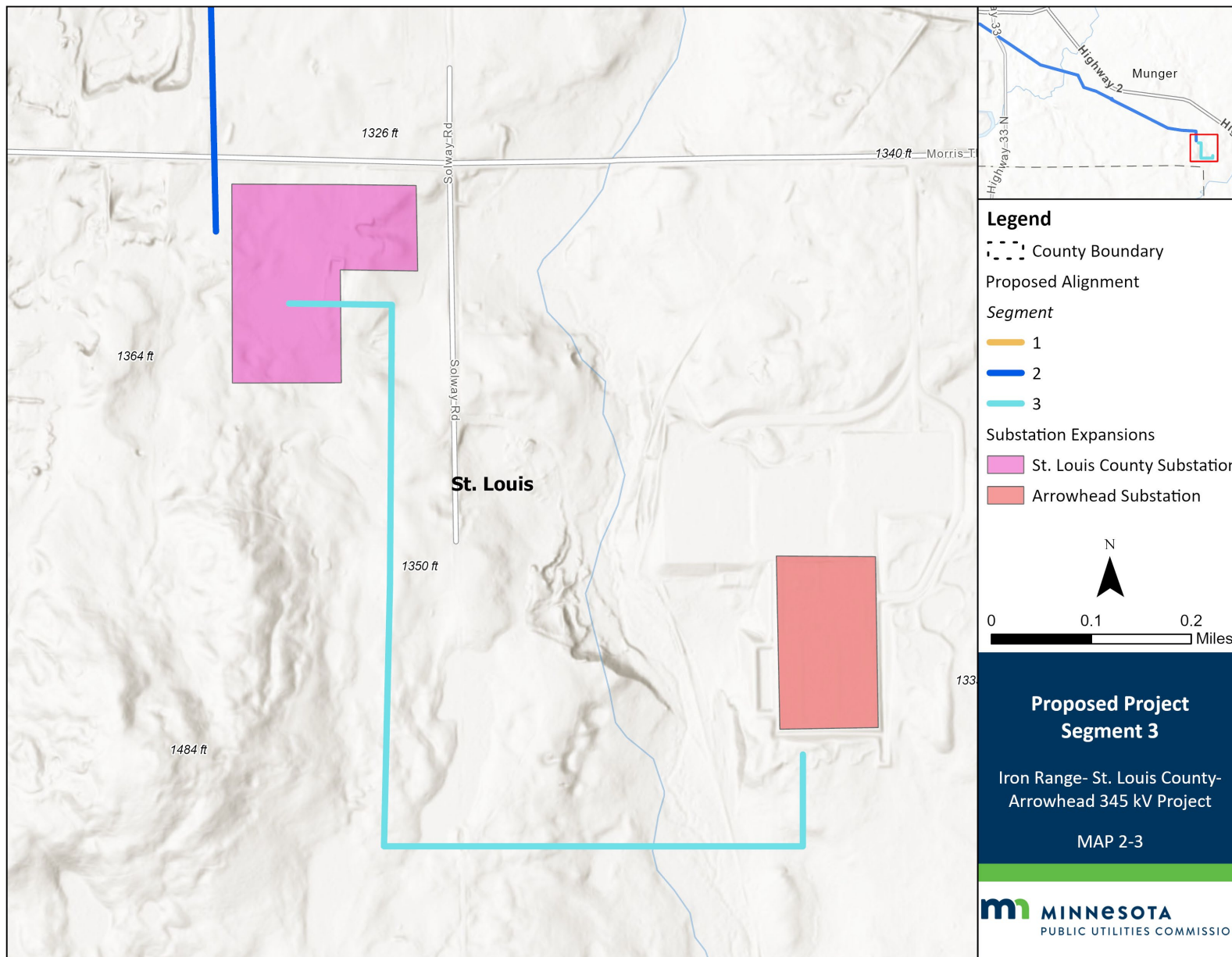
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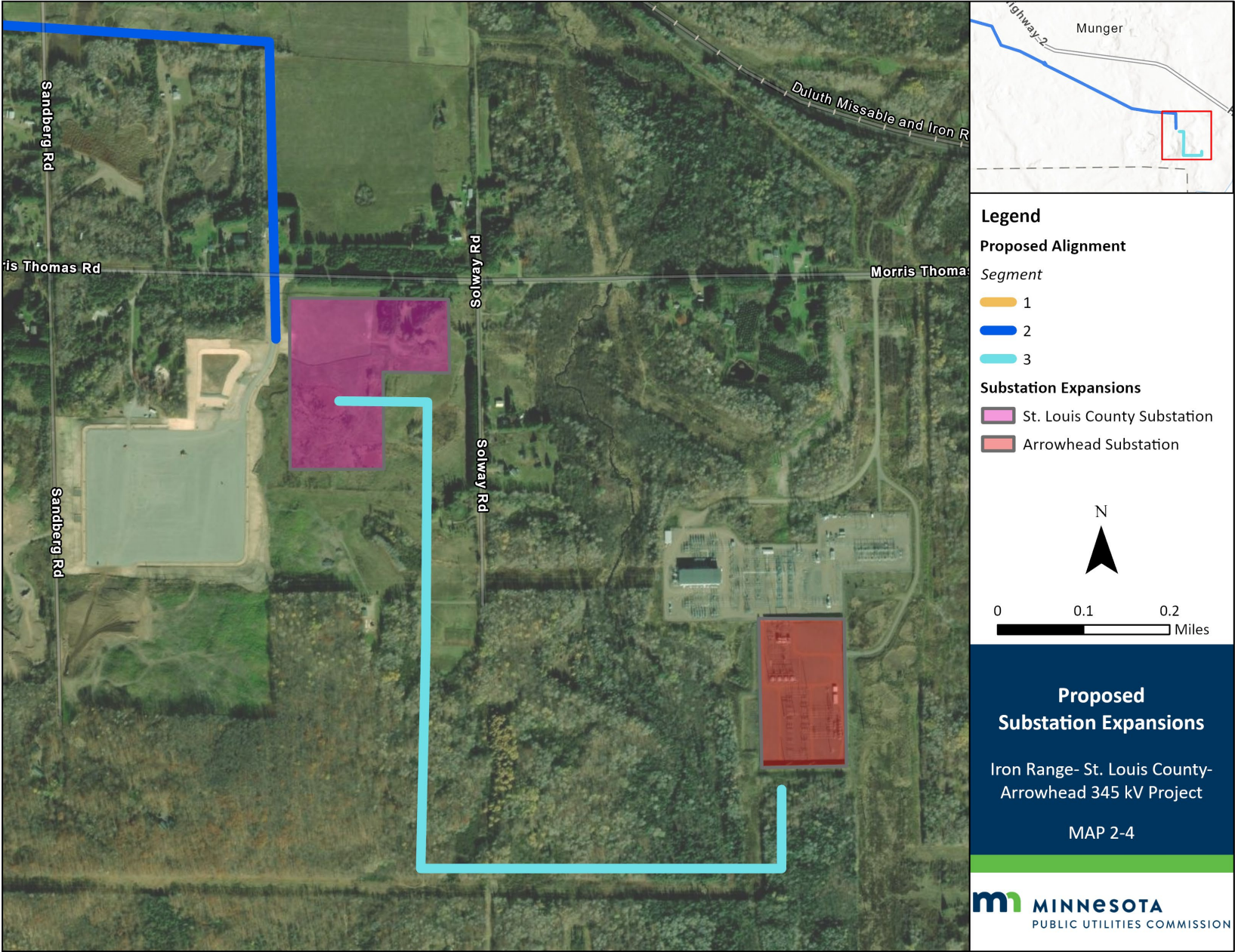
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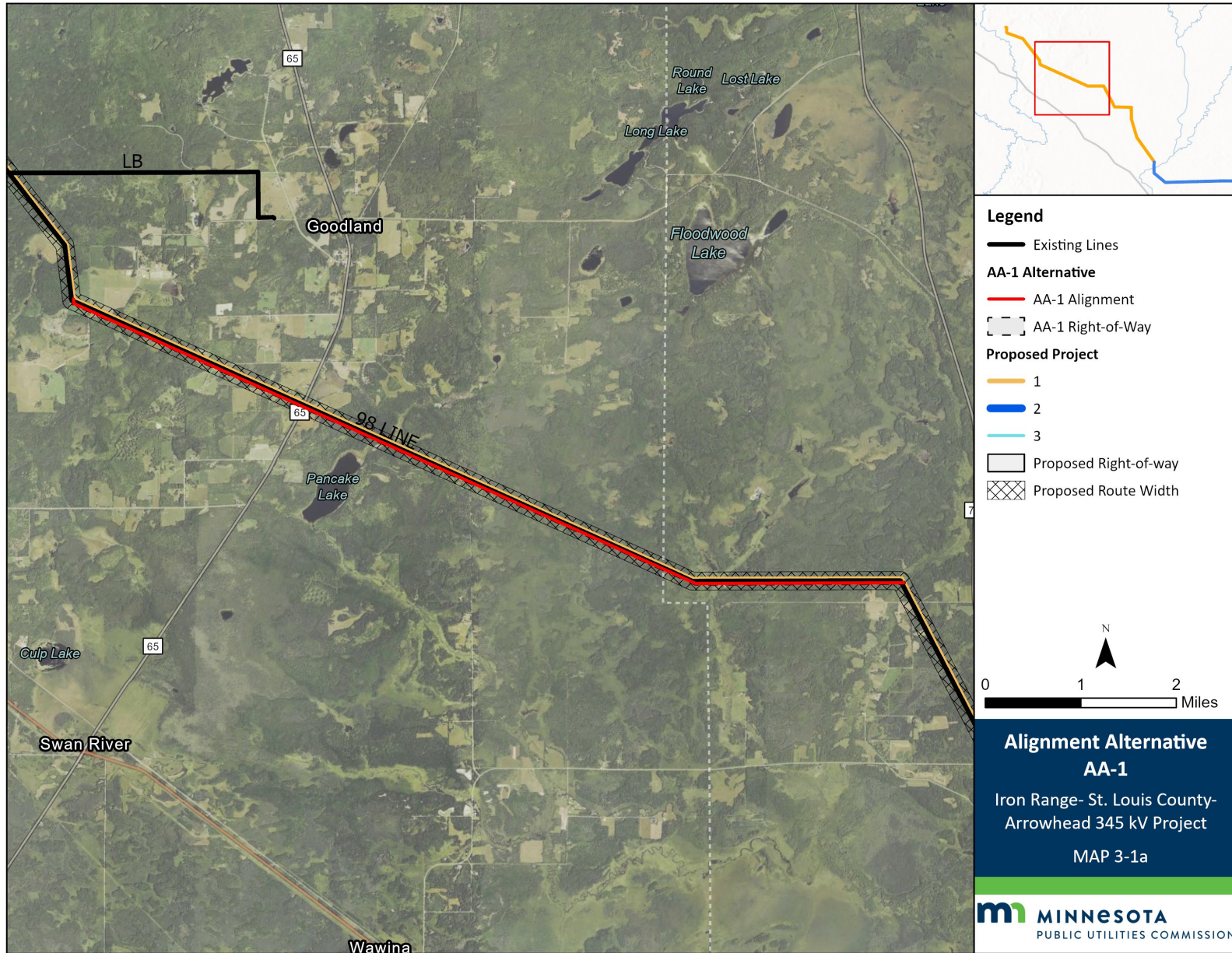


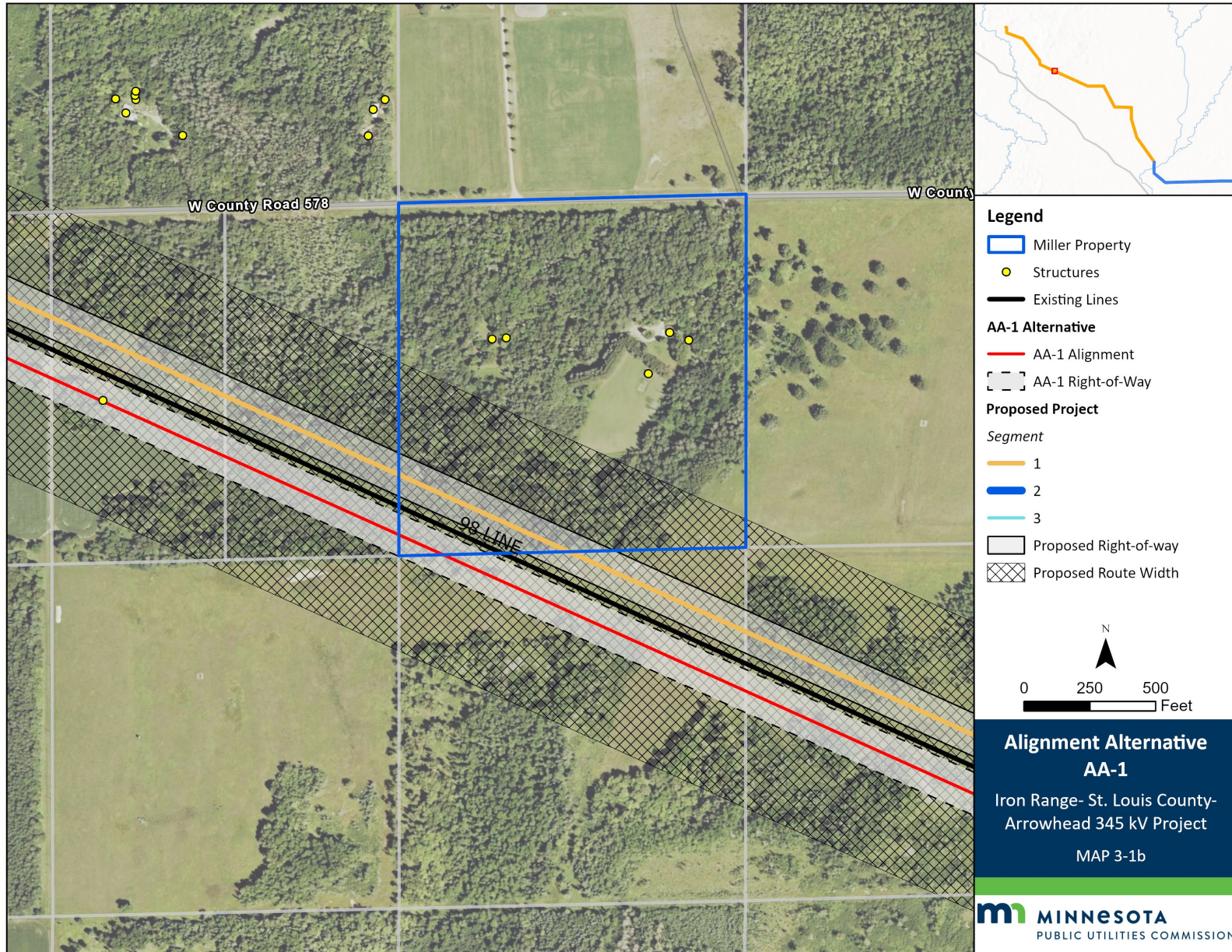


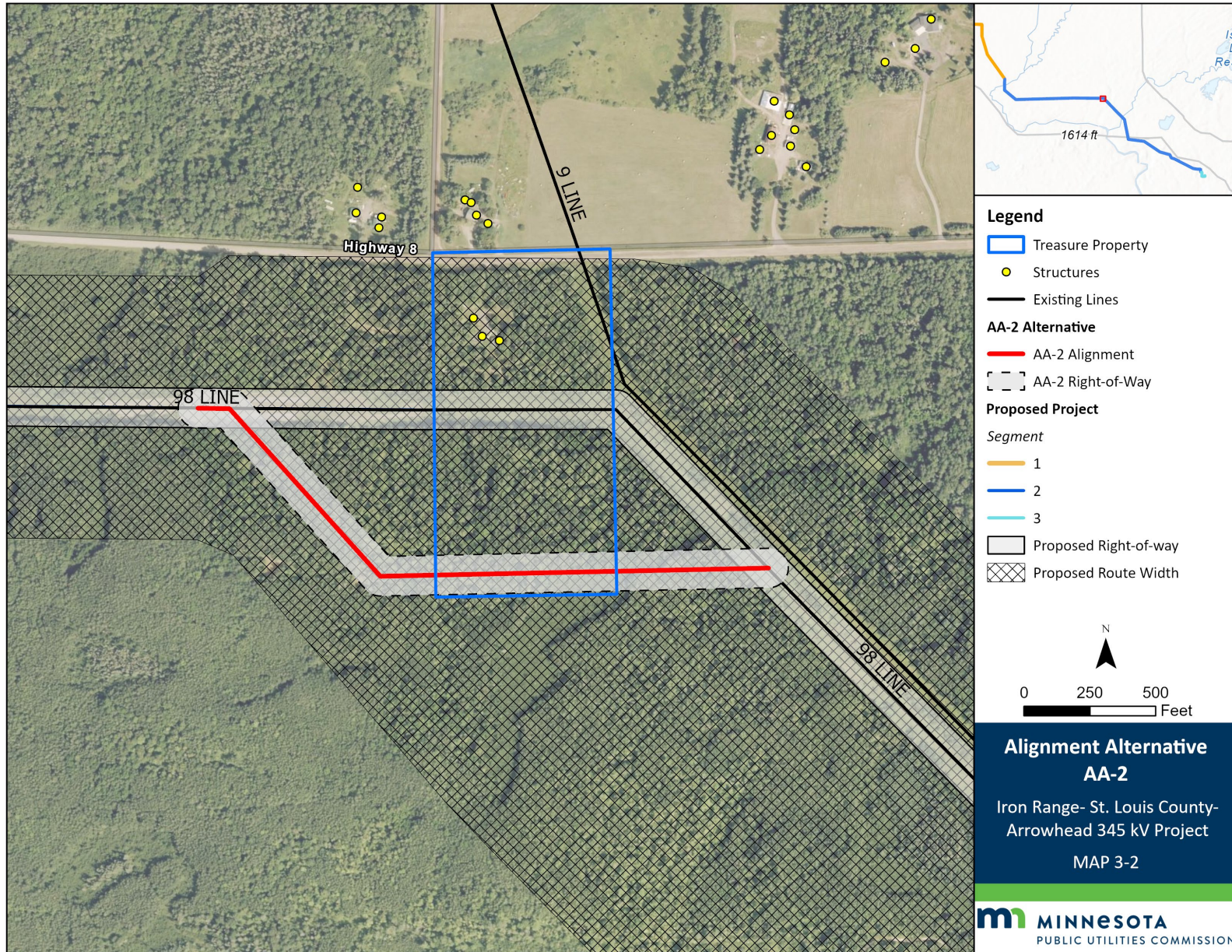


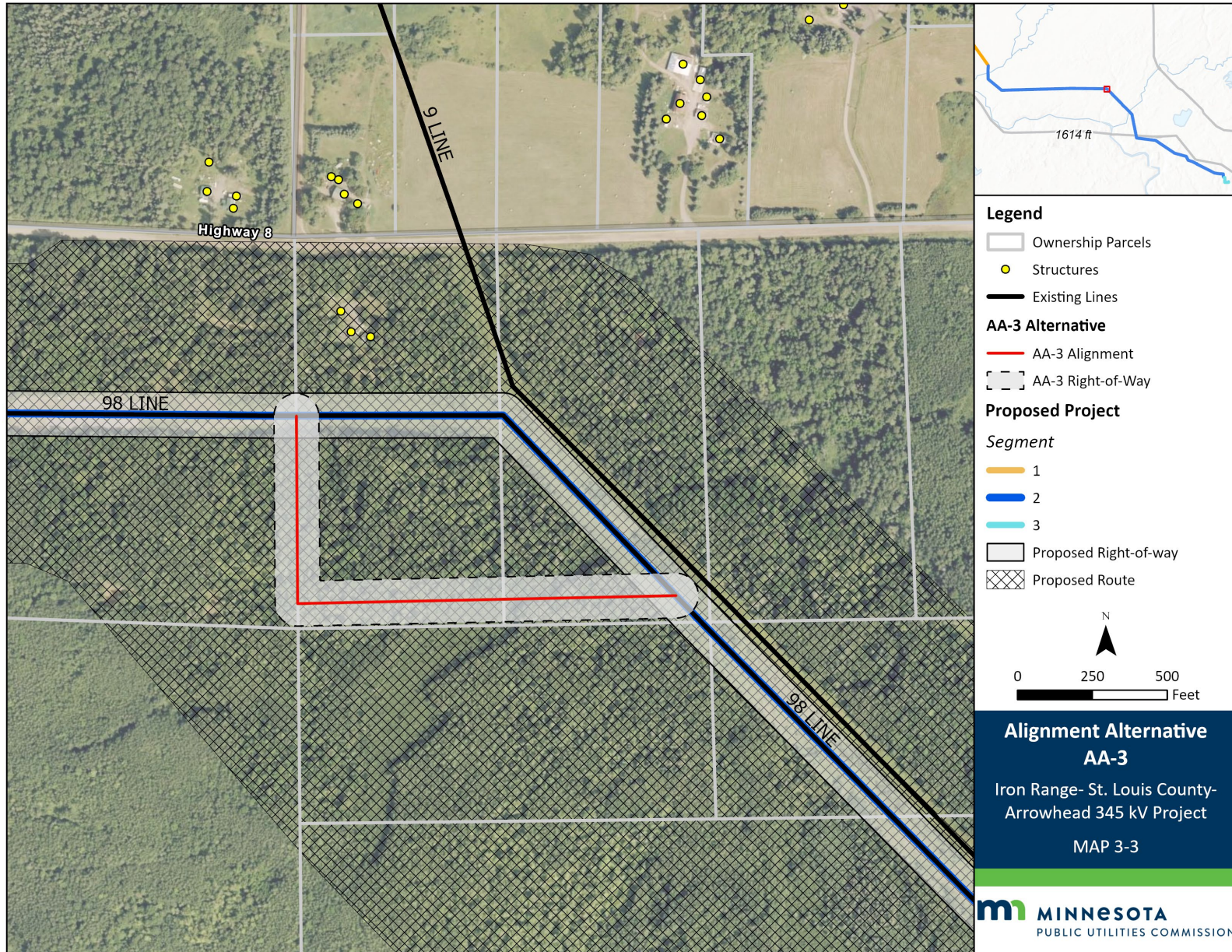


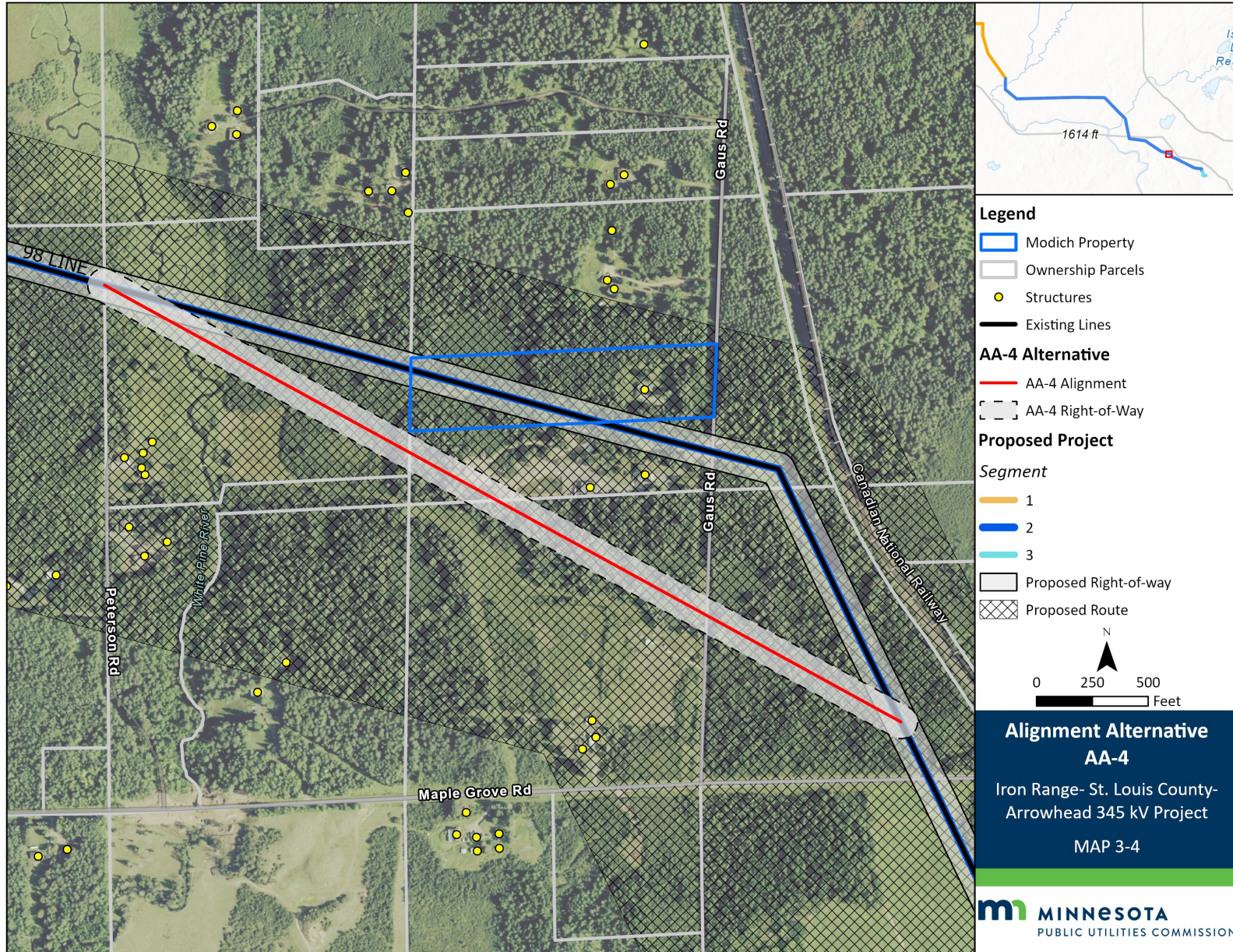


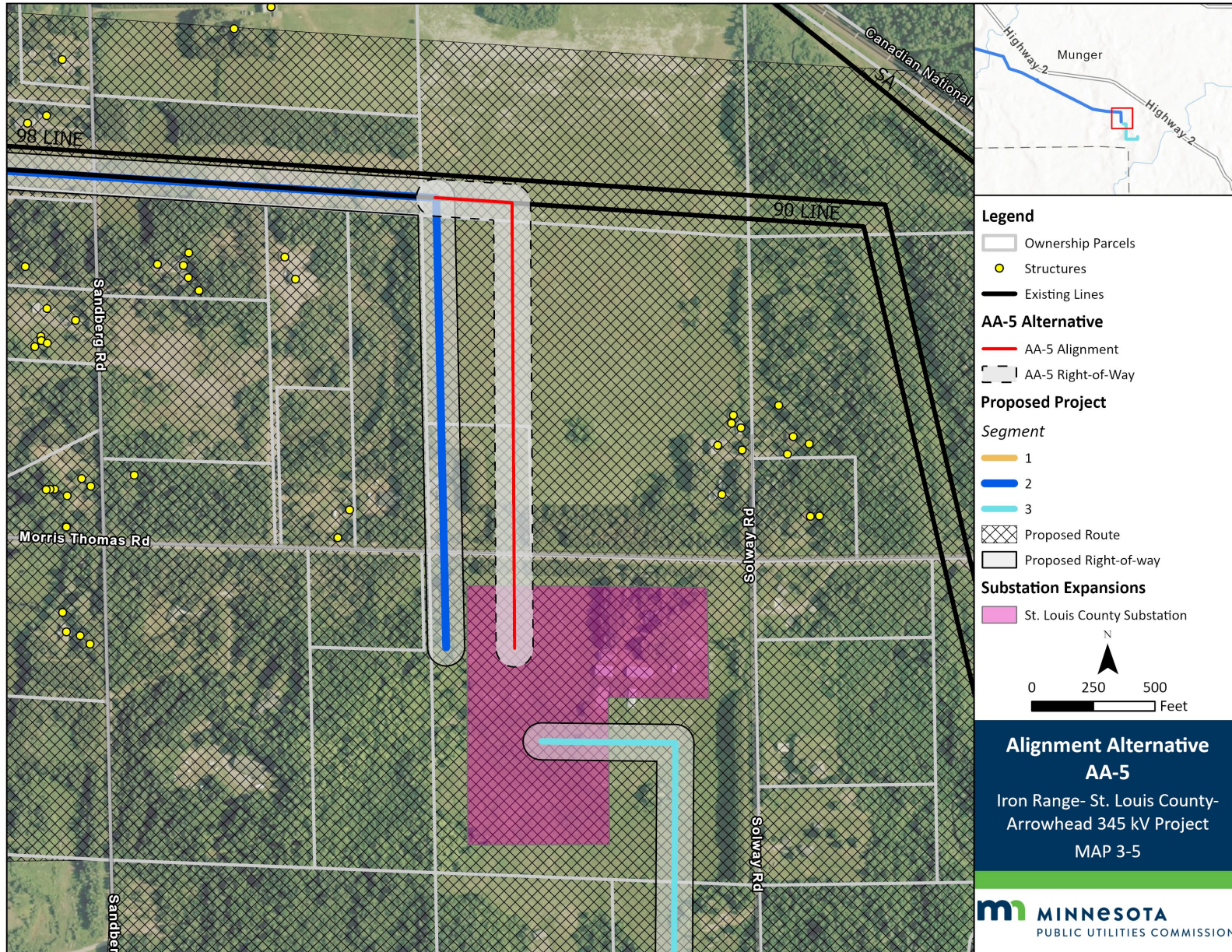


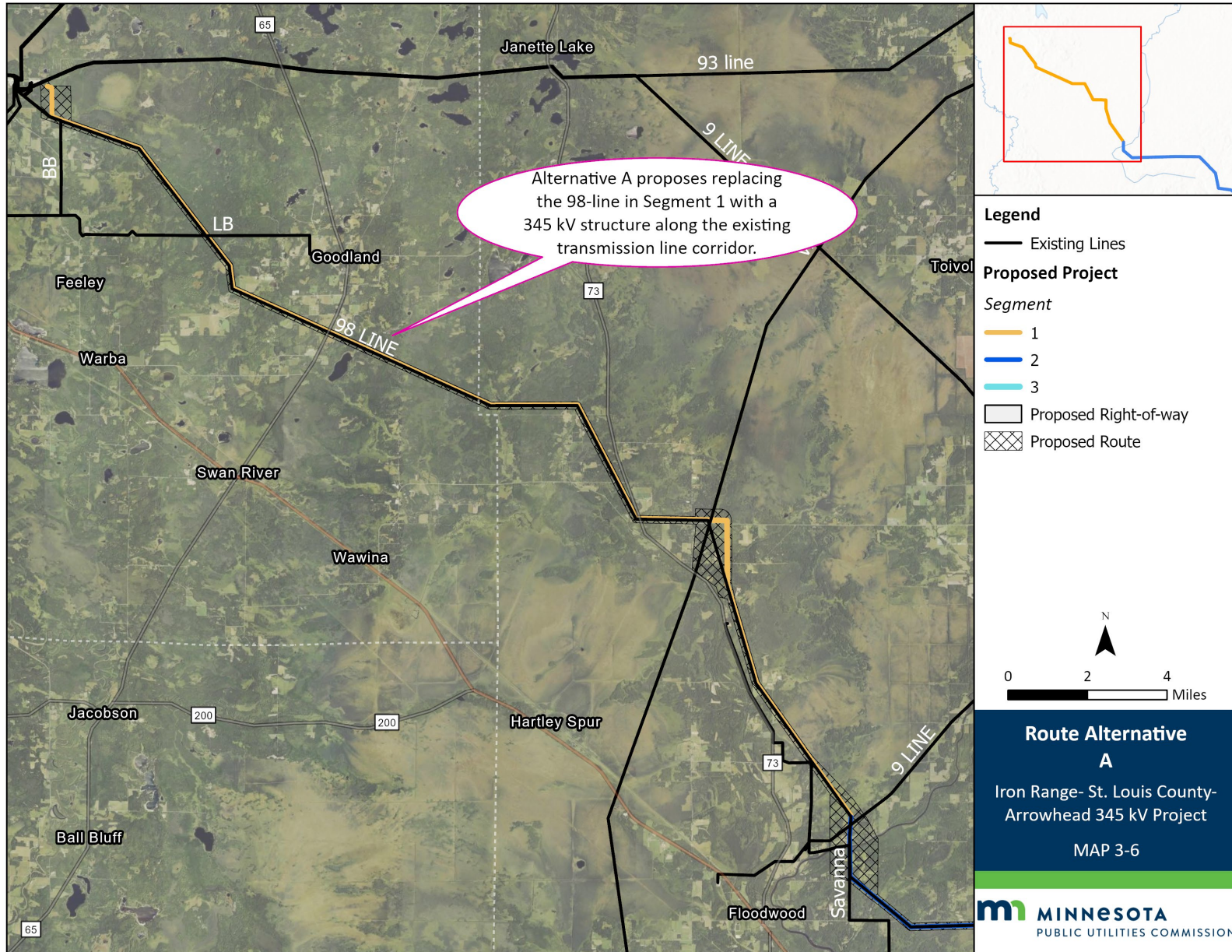


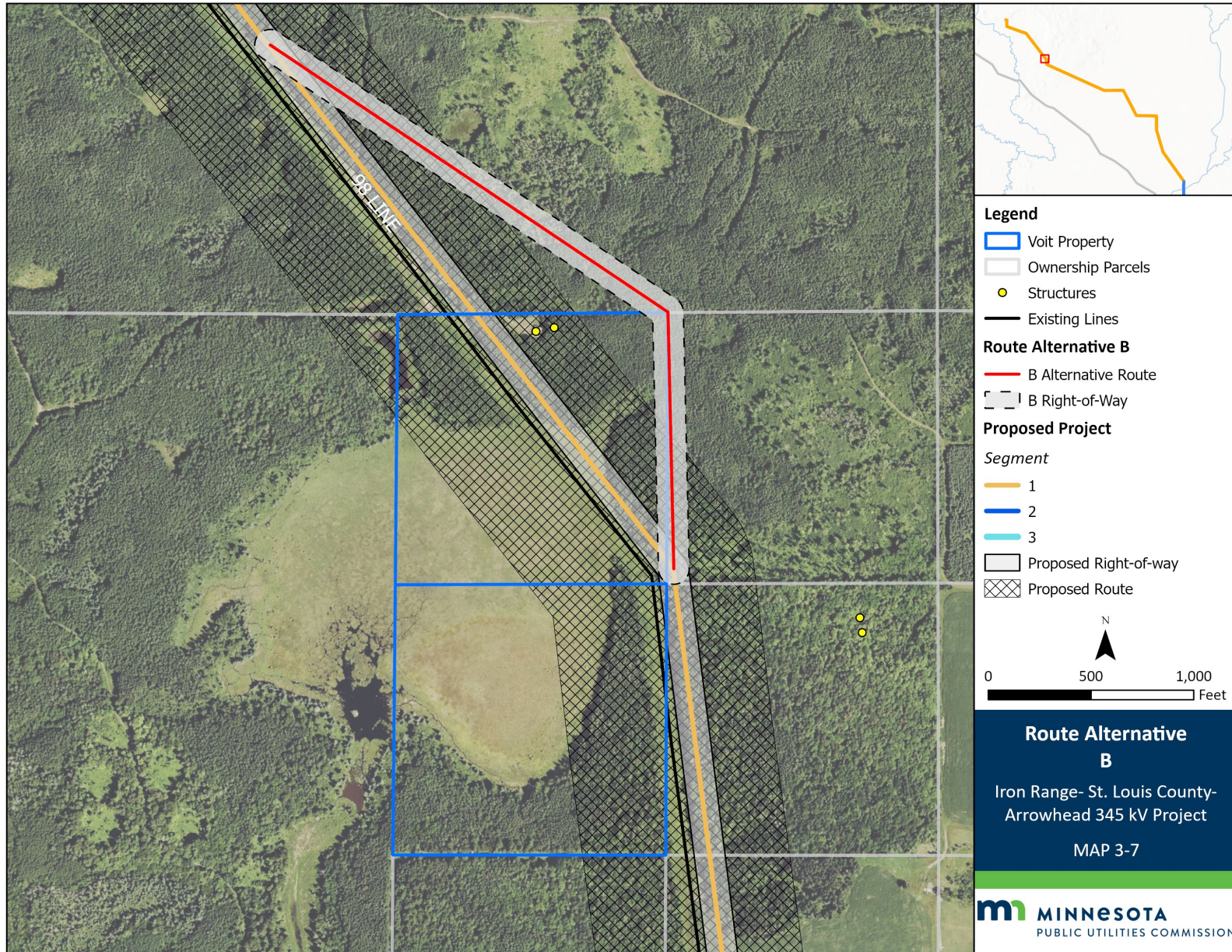


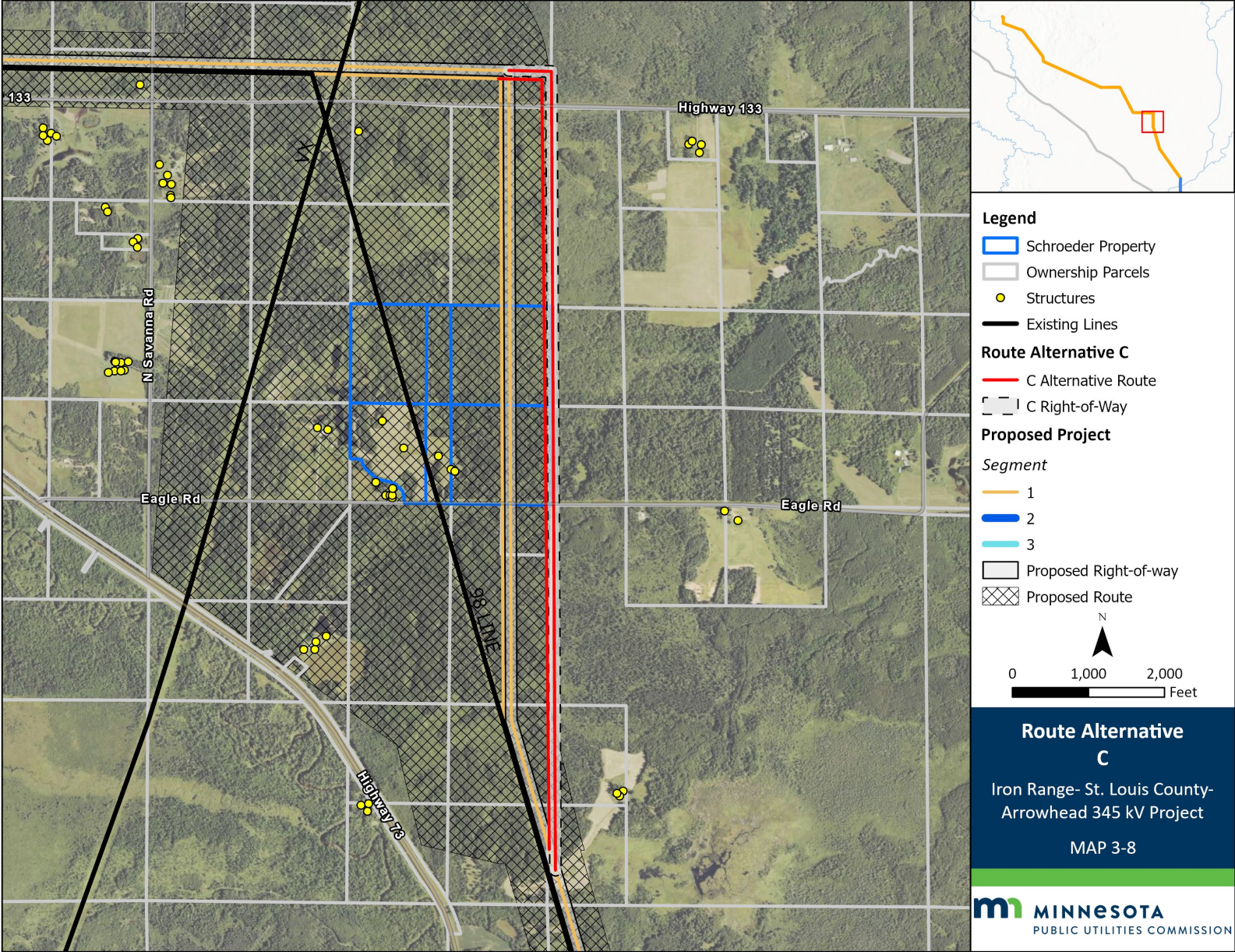


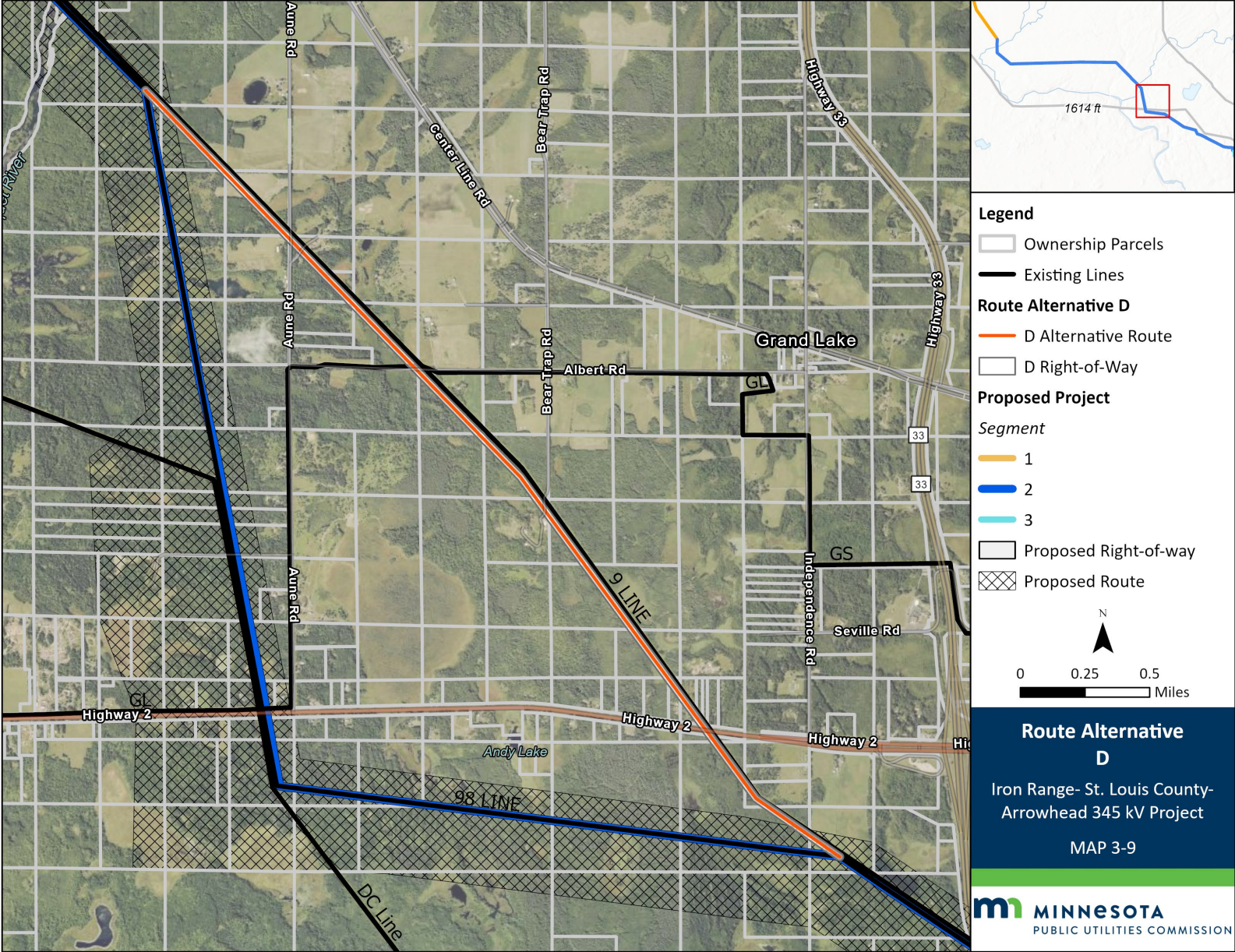


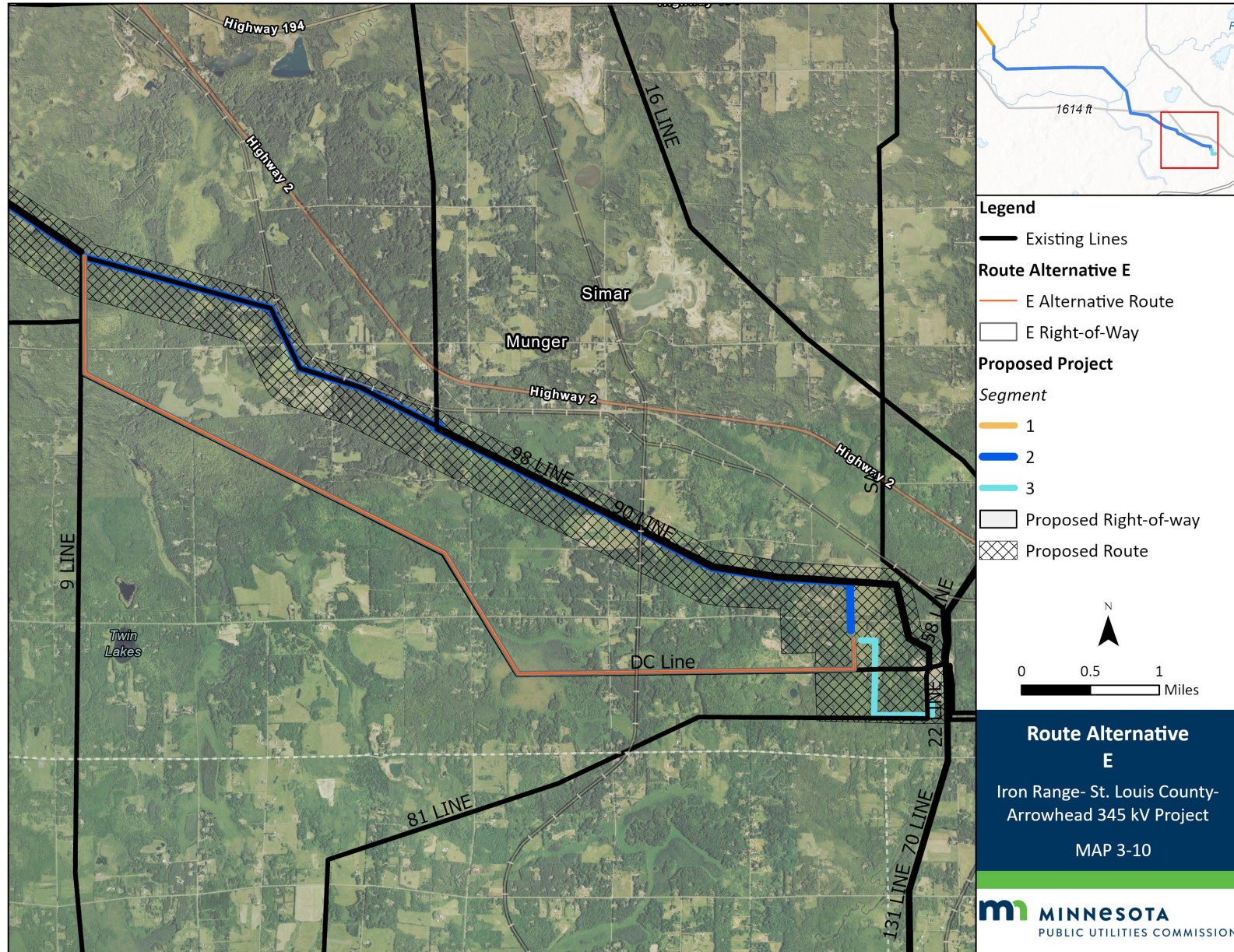


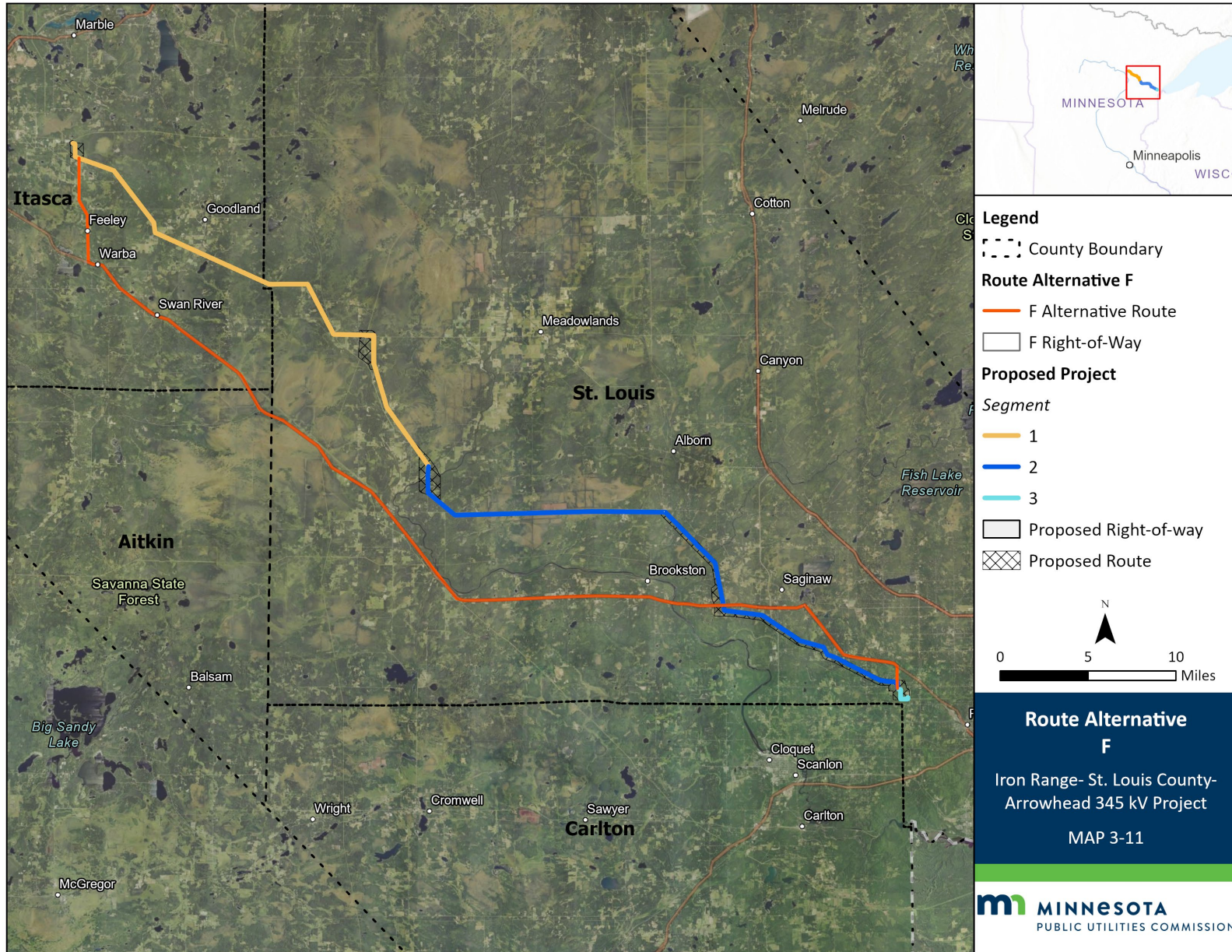














**In the Matter of the Application of Minnesota Power and American Transmission Company, LLC for a Certificate of Need and Route Permit for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Project in Itasca and St. Louis County, Minnesota**

**ENVIRONMENTAL ASSESSMENT ADDENDUM  
AND ENVIRONMENTAL REPORT  
DRAFT SCOPING DECISION**

**DOCKET NOS. E015/CN-25-111; E015/TL-25-112**

The above matter has come before the Minnesota Public Utilities Commission (Commission) for a decision on the scope of the Environmental Assessment Addendum (EA addendum) and Environmental Report (ER) to be prepared for Minnesota Power and American Transmission Company, LLC's proposed 67.5-mile 345 kV transmission line project in Itasca and St. Louis County, Minnesota. The Commission is reviewing this application under [Minnesota Statute §216I](#) and [Minnesota Rules 7849](#).

The project requires a certificate of need and route permit from the Minnesota Public Utilities Commission (Commission) before construction and operation. The certificate of need (CN-25-111) and the route permit (TL-25-112) are being considered by the Commission in separate dockets.

## **Project Description**

On January 5, 2026, Minnesota Power, on behalf of itself and co-applicant American Transmission Company, LLC (together, applicants) submitted a joint route permit application and certificate of need application to the Commission to construct the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Project (project).<sup>1</sup>

The proposed project would involve construction of approximately 67.5 miles in total of transmission line from Minnesota Power's Iron Range Substation near Grand Rapids, Minnesota to Minnesota Power's St. Louis County Substation near Hermantown, Minnesota, with a connection to American Transmission Company's nearby Arrowhead Substation along portions of Itasca and St. Louis Counties (Map 1-1). The proposed route would be located along, and in some cases replace existing high-voltage transmission lines for 92 percent of its length.

The Project would require 250 feet of right-of-way in total and the applicants have requested a total route width of 500 feet on either side of the alignment (1,000 feet in total). The project will share existing transmission line right-of-way (ROW) in some areas; in others it will parallel existing ROW. New transmission lines would be required to connect the existing substations in Grand Rapids and Hermantown. The proposed Project would also include modifications to the Iron Range Substation, St. Louis County Substation, and the ATC Arrowhead Substation (Map 2-4).

Specifically, the applicants proposed construction of the transmission line in three segments as described in their combined application:

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<sup>1</sup> Minnesota Power and American Transmission Company, LLC, Combined Certificate of Need and Route Permit Application for the Iron Range – St. Louis County – Arrowhead 345kV Transmission Line Project, January 5, 2026, eDockets Number [20261-226460-03](#) [herein after Route Permit Application or RPA].

- A. Segment 1 – Construct approximately 32.7 miles of new single-circuit 345 kV line on double-circuit capable structures, to be built along existing 230 high-voltage transmission line rights-of-way owned by Minnesota Power from the existing Minnesota Power Iron Range Substation and continuing to north of the St. Louis River in St. Louis County (Map 2-1). The proposed transmission line will be co-located for 87 percent of its length with existing high-voltage transmission lines owned by Minnesota Power.
- B. Segment 2 – Replace approximately 33.3 miles of existing 230 kV line with new double-circuit 345 kV structures and conductor from north of the St. Louis River in St. Louis County to the existing St. Louis County Substation in Solway Township, utilizing and expanding the existing high-voltage transmission line rights-of-way owned by Minnesota Power (Maps 2-2a and 2-2b). One circuit in this segment will be operated at 345 kV and the other circuit will continue to operate at 230 kV. The 230 kV circuit will operate on the 345 kV double-circuit structures and will use the new 345 kV conductor but will be operated at 230 kV. The 230 kV circuit will be upgraded to 345 kV at a future date when conditions warrant energizing at 345 kV.
- C. Segment 3 - Construct approximately 1.5 miles of new double-circuit 345 kV transmission line that is co-located for 50 percent of its length, jointly owned by Minnesota Power and ATC, from Minnesota Power’s St. Louis County Substation in Solway Township to the existing ATC Arrowhead Substation in Hermantown (Map 2-3).

Additionally, the applicants proposed the following substation improvements as described in their combined application and detailed in Map 2-4:

1. Modification of the Iron Range Substation to accommodate one additional 345 kV line entrance and associated high voltage equipment. An expansion of Minnesota Power’s Iron Range Substation, including 500 kV/345 kV transformers and 345 kV equipment, is currently under construction as part of the Northland Reliability Project (Docket Nos. E015,ET2/CN-22-416 and E015,ET2/TL-22-415) and will require further modification and equipment additions to accommodate the project.
2. Expansion of the St. Louis County Substation to accommodate three additional 345 kV line entrances and associated high voltage equipment. The St. Louis County Substation is currently under construction as part of Minnesota Power’s HVDC Modernization Project (Docket Nos. E015/CN-22-607 and E015/TL-22-611) and will require an expansion to accommodate the project.
3. Expansion of the existing ATC Arrowhead Substation to accommodate two additional 345 kV line entrances and associated high voltage equipment.

In their application, the applicants proposed to start construction of the project by 2029 with an estimated in-service date by 2032 and provided an estimated total project cost between \$444.1 and \$519.3 million dollars.<sup>2</sup>

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<sup>2</sup> RPA, p.22

## Project Purpose

The applicants indicate that the project is needed to enhance grid reliability, to increase grid efficiency and regional transfer capability, and to meet the growing demand for reliable clean energy in the Upper Midwest.<sup>3</sup> The project is part of the Long Range Transmission Plan (“LRTP”) Tranche 2.1 Portfolio approved by the Midcontinent Independent System Operator (MISO) in 2024.<sup>4</sup>

## Regulatory Background

In Minnesota, no person may construct a high voltage transmission line without a route permit issued by the Commission.<sup>5</sup> Because the proposed project is designed for and capable of operating at a nominal voltage of 345 kV and is 67.5 miles long, it meets the statutory definition of a high voltage transmission line and therefore requires a route permit from the Commission.<sup>6</sup> Because the project is a high voltage transmission line with a capacity in excess of 300 kV with at least 80 percent of the distance of the line located along existing high voltage transmission line right-of-way, the route permit application qualifies for Commission review under the standard review process described in Minnesota Statute §216I.07.

The project requires a certificate of need from the Commission because the project is a large energy facility as defined in Minn. Stat. §216B.2421, subd. 2.

The applicant has prepared an environmental assessment (EA) for the project as part of their application. An EA contains an overview of the resources affected by the project. It also discusses potential human and environmental impacts and possible mitigation measures.<sup>7</sup> The Commission is charged with preparing an EA addendum if alternative routes or potential impacts that require study are identified during the public information and scoping process.<sup>8</sup>

Minnesota Rule 7849.1200 requires that an environmental report (ER) be prepared for a certificate of need application. In a January 23, 2026, order, the Commission granted a variance to Minn. Rules 7849.1200 and 7849.1400 authorizing Commission Energy Infrastructure Permitting (EIP) staff to prepare the ER.<sup>9</sup> Consistent with Minn. Rule 7849.1900, the ER analysis will be included as part of the EA addendum.

The Commission’s January 23, 2026, order found the CN portion of the joint application to be complete and authorized review using the informal comment and reply process under 7829.1200.<sup>10</sup> On January 20, 2026, the Commission accepted the route permit portion of the joint application as sufficiently complete and found that the application qualified for review under the standard review process.<sup>11</sup>

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<sup>3</sup> RPA, p. 8

<sup>4</sup> RPA, p. 8

<sup>5</sup> Minnesota Statute 216I.05, subd. 1.

<sup>6</sup> Minnesota Statute §216I.02, subd. 6.

<sup>7</sup> Minnesota Statute 216I.07, subd. 3.

<sup>8</sup> Minnesota Statute § 216I.07, Subd. 3(b).

<sup>9</sup> Public Utilities Commission Order, January 23, 2026, eDockets Number [20261-227318-01](#)

<sup>10</sup> Public Utilities Commission Order, January 23, 2026, eDockets Number [20261-227318-01](#)

<sup>11</sup> Public Utilities Commission Letter, Application Completeness Determination, eDockets Number [20261-227106-01](#)

## Scoping Process Summary

Scoping is the first step in the environmental review process. The scoping process has three primary purposes: (1) to gather public input on the impacts, mitigation measures, and routing alternatives to study in an EA addendum, (2) to identify system alternatives to be studied in the ER, and (3) to determine what conditions should be included in a draft route permit. The scoping process aids in the Commission's decision on the certificate of need and route permit application.

This scoping decision identifies impacts and alternatives to be studied in an EA addendum and the scope of the ER.

### *Public Information and Scoping Meetings*

Staff gathered input on the scope of the EA addendum and ER through four public scoping meetings and an associated comment period as summarized below:

Meeting Date	Location	Approximate Number of Attendees
April 6, 2026	Grand Rapids, MN	15
April 7, 2026	Floodwood, MN	20
April 7, 2026	Hermantown, MN	60
April 9, 2026	Virtual	20

The purpose of the meetings was to provide information to the public about the proposed project, to answer questions, and to allow the public an opportunity to suggest impacts, mitigation measures, and alternatives to be studied.

Approximately 115 people attended the public meetings. Thirty-four people provided verbal comments. Commenters asked questions about the need for the project, regional vs. local benefits of the project, and potential impacts to ratepayers. Several commenters spoke about the proposed Hermantown data center, their experiences interacting with Minnesota Power on their property, and concerns regarding aesthetic impacts of tree clearing near residences. Commenters also expressed concerns with electric and magnetic fields (EMF), stray voltage, noise, and human health, among other topics.<sup>12</sup>

### *Written Public Comments*

A comment period beginning January 22, 2026, and ending on April 23, 2026, provided the public with an opportunity to provide input on the proposed project. Written comments were received from forty-two members of the public, two state agencies, one local government unit, four organizations, and the applicant. All written public comments have been compiled and can be viewed in eDockets.<sup>13</sup>

<sup>12</sup> ISA 345 kV Transmission Project, Oral Comments from Public Information and Scoping Meetings, April 15, 2026, eDockets Number [20264-230437-01](#).

<sup>13</sup> ISA 345 kV Transmission Project, Written Public Comments Received, April 28, 2026, eDockets Number [20264-231117-01](#).

### *Agency Comments*

The Minnesota Department of Natural Resources (DNR) provided comments on the potential impacts of the proposed transmission line crossings within Aquatic Management Areas, trout streams, state forests, and trails. The DNR provided mitigation measures to address these impacts and suggested several permit conditions.<sup>14</sup> The comments included a Natural Heritage Review that was completed for the project that details Sites of Biodiversity Significance, Native Plant Communities, and State-Listed Species that are associated with the proposed route.<sup>15</sup>

The Minnesota Department of Transportation (MnDOT) provided comments on how the project is proposed to traverse or collocate with trunk highways 65, 73, 33 and United States Highway 2 and will be in proximity to or impact MnDOT right-of-way (ROW). Additionally, MnDOT provided comments and recommendations for the applicants and the Commission to consider regarding blowing snow control, scenic byways, and route alignment and collocation considerations. MnDOT recommended that the applicants work with MnDOT's Blowing Snow Control team to avoid impacts to active snow traps. MnDOT also recommended that the applicants coordinate with MnDOT's scenic byways staff, if they haven't already been engaged, and that mitigation measures for unavoidable impacts within the scenic byways are recommended. Regarding route alignment and collocation considerations, MnDOT requested enough time for coordination if any alternative routes are proposed during the permitting review process that would collocate with trunk highway.<sup>16</sup>

### *Local Government Unit Comments*

#### **St. Louis County Land and Minerals Department**

Nate Anderson, the Deputy Director for the St. Louis County Land and Minerals Department commented that the proposed route for the project crosses significant stretches of land owned by the county and acquired through grant funds, and that some of these lands have deed restrictions limiting what can be located on the land.

### *Organization Comments*

#### **CURE**

CURE provided comments on the need for and cost of the project, the scope of environmental review, and proposed permit conditions for the project. The comments asked for more information about the interconnection with the proposed data center, and the value and impact of the project on tribes and tribal resources. The comments also recommended more analysis of environmental impacts on treaty-protected resources and consultation with treaty organizations and tribes.

#### **Midcontinent Independent System Operator, Inc.**

The Midcontinent Independent System Operator, Inc. (MISO) provided comments to describe the regional transmission planning process and need for the proposed project.

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<sup>14</sup> MDNR comment, April 23, 2026, eDockets Number [20264-230898-01](#).

<sup>15</sup> MDNR Natural Heritage Review Letter, April 23, 2026, eDockets Number [20264-230898-02](#).

<sup>16</sup> MnDOT comment, April 22, 2026, eDockets Number [20264-230780-01](#).

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### Midwest Tribal Energy Resources Association

Midwest Tribal Energy Resources Association (MTERA) provided comments on the need for formal tribal consultation for the project, the need for more analysis on the impacts to tribal communities from the large load expected from interconnection to the Hermantown data center, and electric rate increases associated with the project that may impact tribal members. The comment also suggested requiring a community benefit plan for each tribe along the proposed route to mitigate impacts to tribal members.

### World Organization for Landowner Freedom and No CapX 2020

Several comments were submitted by Carol Overland on behalf of the World Organization for Landowner Freedom (WOLF) and No CapX 2020 discussing the project need, benefits of the project to Minnesota, benefits and costs to ratepayers, power flows, impacts of tariffs on construction costs, cumulative impacts of this project with the proposed Hermantown data center, among other topics.<sup>17</sup>

### Other Comments

Members of the public who submitted written public comments expressed concern about a variety of potential impacts associated with the project, including but not limited to property values, multiple transmission lines on a property, human health, EMF, aesthetics, land use, tree clearing, and noise. Over half of the commenters expressed concern over cumulative impacts of the interconnection of the project with the proposed Hermantown data center and questioned whether the need for the transmission line was tied to the data center. Commenters also proposed multiple route and alignment alternatives, discussed below.

### Applicant Comments

On April 23, 2026, the applicants filed comments in response to public meeting comments and on aspects of the permitting process. The applicants addressed several concerns raised during the meetings, including vegetation management, noise, cumulative impacts, and customer-specific infrastructure in relation to the proposed Hermantown data center. The applicants also commented on the permitting process regarding the permitting schedule and their interpretation of Minnesota Rules Chapter 7849 that cover the preparation of an ER.

\*\*\*\*\*

**HAVING REVIEWED THE MATTER** and in accordance with Minnesota Statute §216I.05 and Minnesota Rule 7849.1400, the Commission hereby makes the following scoping decision:

## MATTERS TO BE ADDRESSED

The issues outlined below will be analyzed in the EA addendum for the project. The EA addendum will describe the project and the human and environmental resources of the project area and will provide information on potential impacts as they relate to the topics outlined in this scoping decision as well as possible mitigation measures.

<sup>17</sup> Carol Overland Comment Letters on behalf of WOLF and No CapX 2020, April 8, 2026, eDockets Number [20264-230188-01](#), and April 25, 2026, eDockets Number [20264-230986-01](#).

The EA addendum will include a description and analysis of the human and environmental impacts of the proposed project and project alternatives that would have otherwise been required by Minn. Rule 7849.1500 in an environmental report.

**I. DESCRIPTION OF THE PROPOSED PROJECT**

- a. Project Description
- b. Project Purpose
- c. Project Cost and Schedule

**II. PROJECT DESIGN, CONSTRUCTION, AND OPERATION**

- a. Structures
- b. Right-of-Way Requirements
- c. Substation Modifications
- d. Operation & Maintenance

**III. REGULATORY FRAMEWORK**

- a. Certificate of Need
- b. Route Permit
- c. Environmental Review Process
- d. Other Permits and Approvals

**IV. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATIVE MEASURES**

The EA addendum will include a discussion of the human and environmental resources potentially impacted by the proposed project and the routing alternatives described herein (Section V). Potential impacts, both positive and negative, of both the project and each alternative will be described. The EA will describe mitigation measures that could reasonably be implemented to reduce or eliminate the identified impacts.

EA addendum data and analyses will be commensurate with the importance of potential impacts and the relevance of the information for consideration of mitigation measures. Commission staff will consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EA addendum. Less important material may be summarized, consolidated, or simply referenced.

If relevant information cannot be obtained within timelines prescribed by statute or rule, or if the costs of obtaining such information is excessive, or the means to obtain it is not known, Commission staff will include a statement in the EA addendum that such information is incomplete or unavailable and the relevance of that information in evaluating potential impacts.

- A. Environmental Setting
- B. Human Settlements
  1. Noise
  2. Aesthetics
  3. Displacement

- 4. Socioeconomics
  - 5. Property Values
  - 6. Zoning and Land Use
  - 7. Public Services
  - C. Public Health and Safety
    - 1. Electric and Magnetic Fields
    - 2. Stray Voltage
    - 3. Mental Health
  - D. Land-Based Economies
    - 1. Agriculture
    - 2. Forestry
    - 3. Mining
    - 4. Recreation and Tourism
  - E. Archaeological and Historic Resources
  - F. Natural Environment
    - 1. Air Quality / Greenhouse Gases
    - 2. Climate Change and Project Resilience
    - 3. Water Resources
      - a) Surface Waters
      - b) Groundwater
      - c) Wetlands
    - 4. Soils
    - 5. Vegetation
    - 6. Wildlife
  - G. Greenhouse Gas Emissions and Climate Resilience
  - H. Rare and Unique Natural Resources
- V. **ROUTE ALTERNATIVES TO BE EVALUATED IN THE EA ADDENDUM**

The EA addendum will analyze the following alternatives:

- a. Alignment Alternative AA-2  
This alignment alternative begins and terminates in Section 11, Culver Township, St. Louis County, departing from the applicant's alignment and heading to the southeast before turning east for approximately 0.4 miles and returning to the applicant's alignment where the 98-line and 9-line parallel each other (See Map 3-1).
- b. Alignment Alternative AA-3  
This alignment alternative begins and terminates in Section 11, Culver Township, St. Louis County, departing from the applicant's alignment and heading to the south along a property boundary. It then turns east for approximately 0.35 miles and returns to the applicant's alignment where the 98-line and 9-line parallel each other (See Map 3-2).
- c. Alignment Alternative AA-4  
This alignment alternative begins and terminates in Section 17, Solway Township, St. Louis County, departing from the applicant's alignment just before crossing the White

Pine River, heading southeast and crossing Gaus Road before returning to the applicant's proposed alignment (See Map 3-3).

- d. **Alignment Alternative AA-5**  
 This alignment alternative begins in section 25 and ends in section 36 of Solway Township, St. Louis County. The alternative extends farther east from the applicant's alignment along the 90-line corridor, and heads south through green field before crossing Morris Thomas Road and connecting to the proposed St. Louis County substation expansion (See Map 3-4).
- e. **Route Alternative A**  
 Route Alternative A follows the applicant's proposed route segment 1 from the Iron Range Substation in Itasca County to Section 27 and 28, Van Buren Township, St. Louis County, just north of the St. Louis River. This alternative proposes replacing the existing 98-line with a 345 kV structure in the existing transmission corridor instead of co-locating (See Map 3-5).
- f. **Route Alternative B**  
 Route Alternative B begins in Section 12 and returns to the applicant's proposed alignment in section 13, Feeley Township, Itasca County. This alternative leaves the applicant's alignment in Segment 1 and heads southeast to the eastern corner of a property boundary, where it follows the property boundary south and reconnects to the applicant's alignment (See Map 3-6).
- g. **Route Alternative C**  
 Route Alternative C departs from section 13, Cedar Valley Township, St. Louis County, and ends on the border of Section 25, Cedar Valley Township and Section 30, Elmer Township, St. Louis County. This alternative extends approximately 800 feet east of the applicant's alignment and parallels the applicant's alignment south along property lines (See Map 3-7).

## VI. **ALTERNATIVES TO THE PROPOSED PROJECT**

The EA addendum will include an analysis of alternatives to the proposed transmission line project, pursuant to Minnesota Rules 7849.1500. This section will describe and analyze the feasibility of the following system alternatives, and the human and environmental impacts and potential mitigation measures associated with each:

- a. No-build Alternative
- b. Demand Side Management
- c. Purchased Power
- d. Transmission Line of a Different Size or Type
  - 1. Higher and Lower Voltage Lines
  - 2. Undergrounding
- e. Upgrading of Existing Facilities
  - 1. Reconductoring of Existing Lines

- 2. Double-Circuiting of Existing Lines
- f. Generation Rather Than Transmission
- g. Use of Renewable Energy Sources

## ISSUES OUTSIDE THE SCOPE OF THE EA ADDENDUM

The EA addendum will not address following topics:

- A. Any route, route segment, or alignment alternative not specifically identified for study in this scoping decision.
- B. Any system alternative (an alternative to the proposed transmission line project) not specifically identified for study in this scoping decision.
- C. Policy issues concerning whether utilities or local governments should be liable for the cost to relocate utility poles when roadways are widened.
- D. The manner in which landowners are paid for transmission line right-of-way easements.

## SCHEDULE

The EA addendum is anticipated to be completed and available in late summer/early fall of 2026. Upon completion, it will be noticed and made available for review. Public hearings will be noticed and held in the project area after issuance of the EA addendum. Comments on the EA addendum may be submitted into the hearing record.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2026

STATE OF MINNESOTA  
MINNESOTA PUBLIC UTILITIES COMMISSION

\_\_\_\_\_  
Sasha Bergman, Executive Secretary

## **Attachment 1 – Maps**

### **Overview**

Map 1-1      Project Overview

### **Detailed Project Maps**

Map 2-1      Segment 1

Map 2-2a     Segment 2 West

Map 2-2b     Segment 2 East

Map 2-3      Segment 3

Map 2-4      Substation Expansions

### **Alternatives Proposed During Scoping**

Map 3-1      AA-2 Alternative Alignment

Map 3-2      AA-3 Alternative Alignment

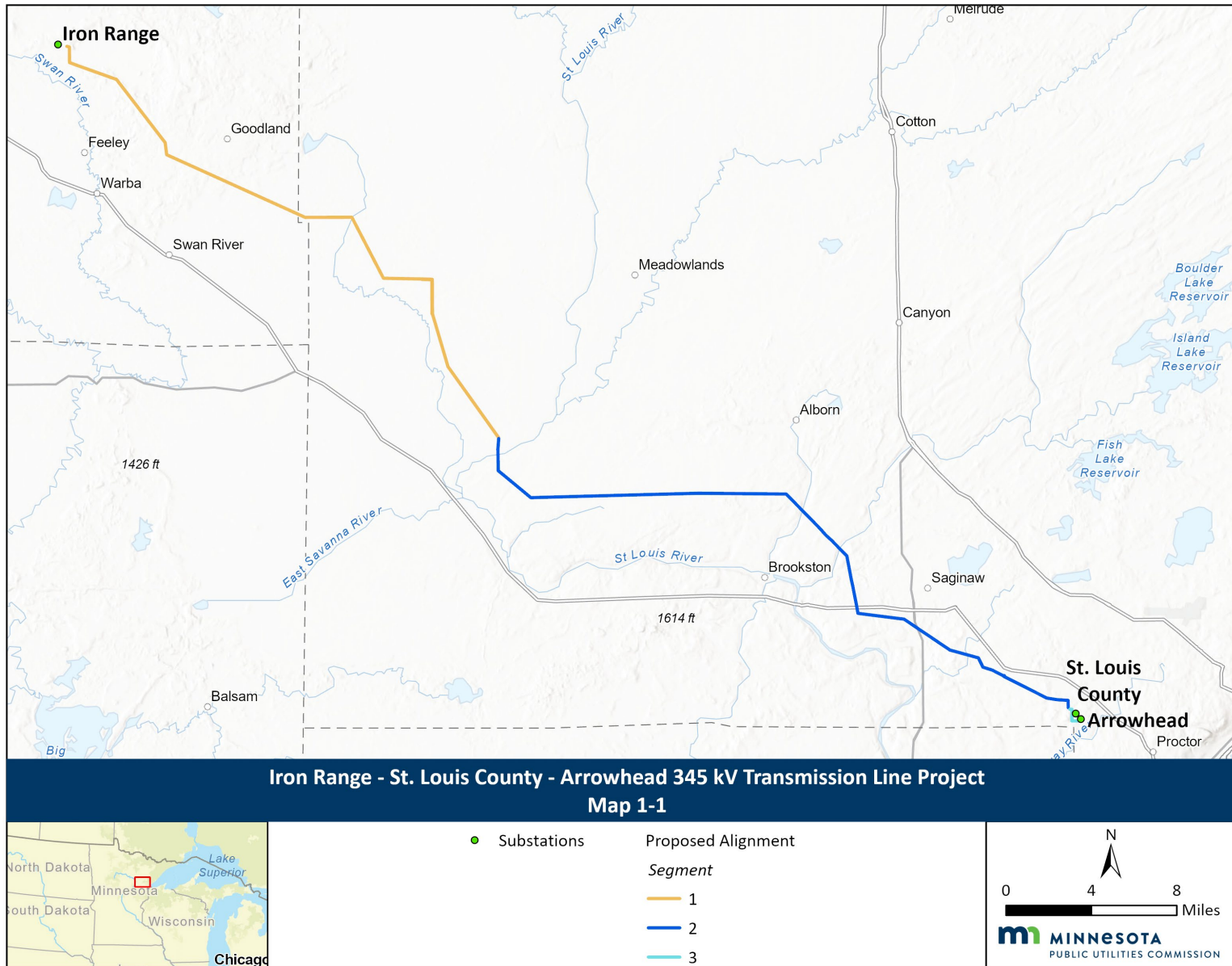
Map 3-3      AA-4 Alternative Alignment

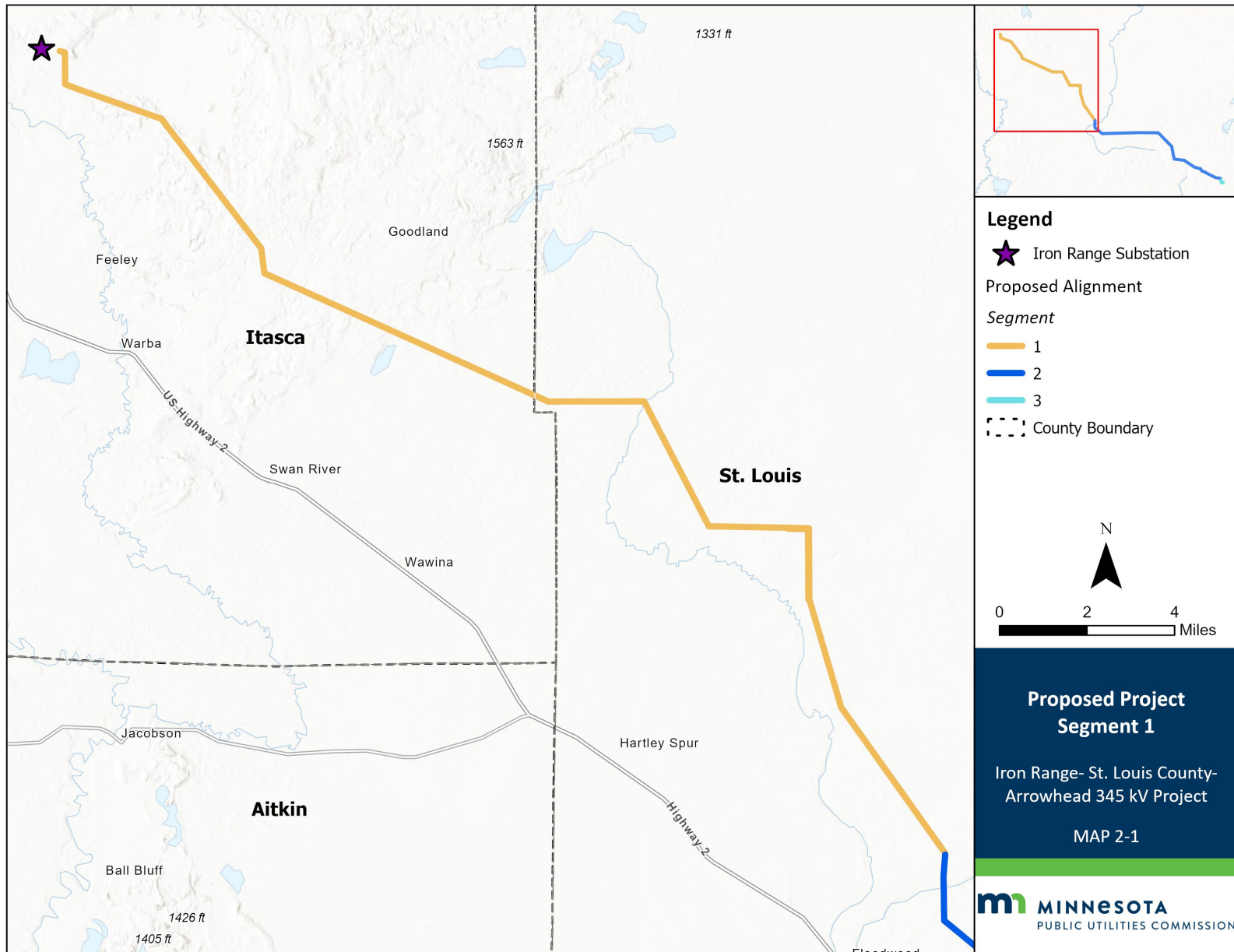
Map 3-4      AA-5 Alternative Alignment

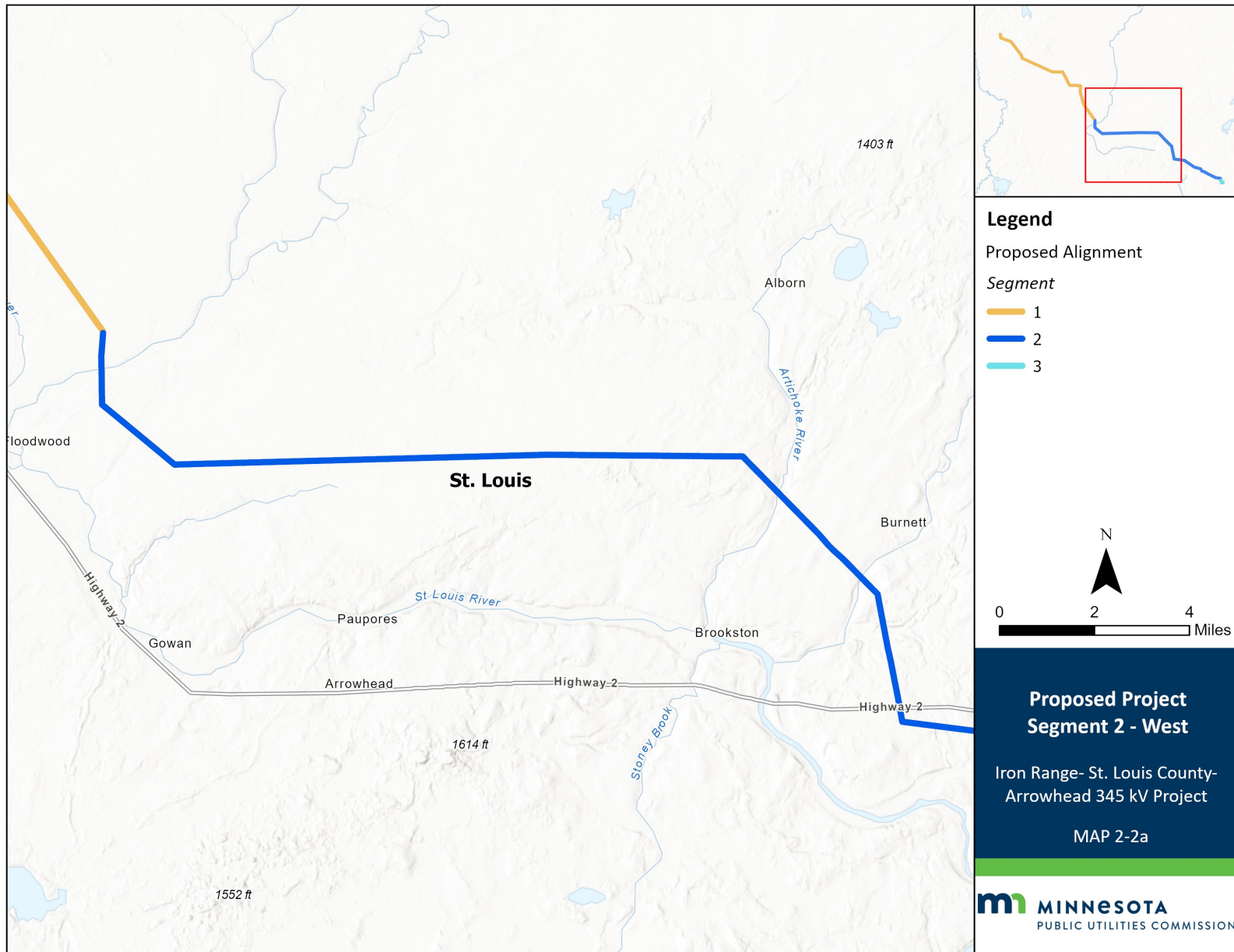
Map 3-5      Route Alternative A

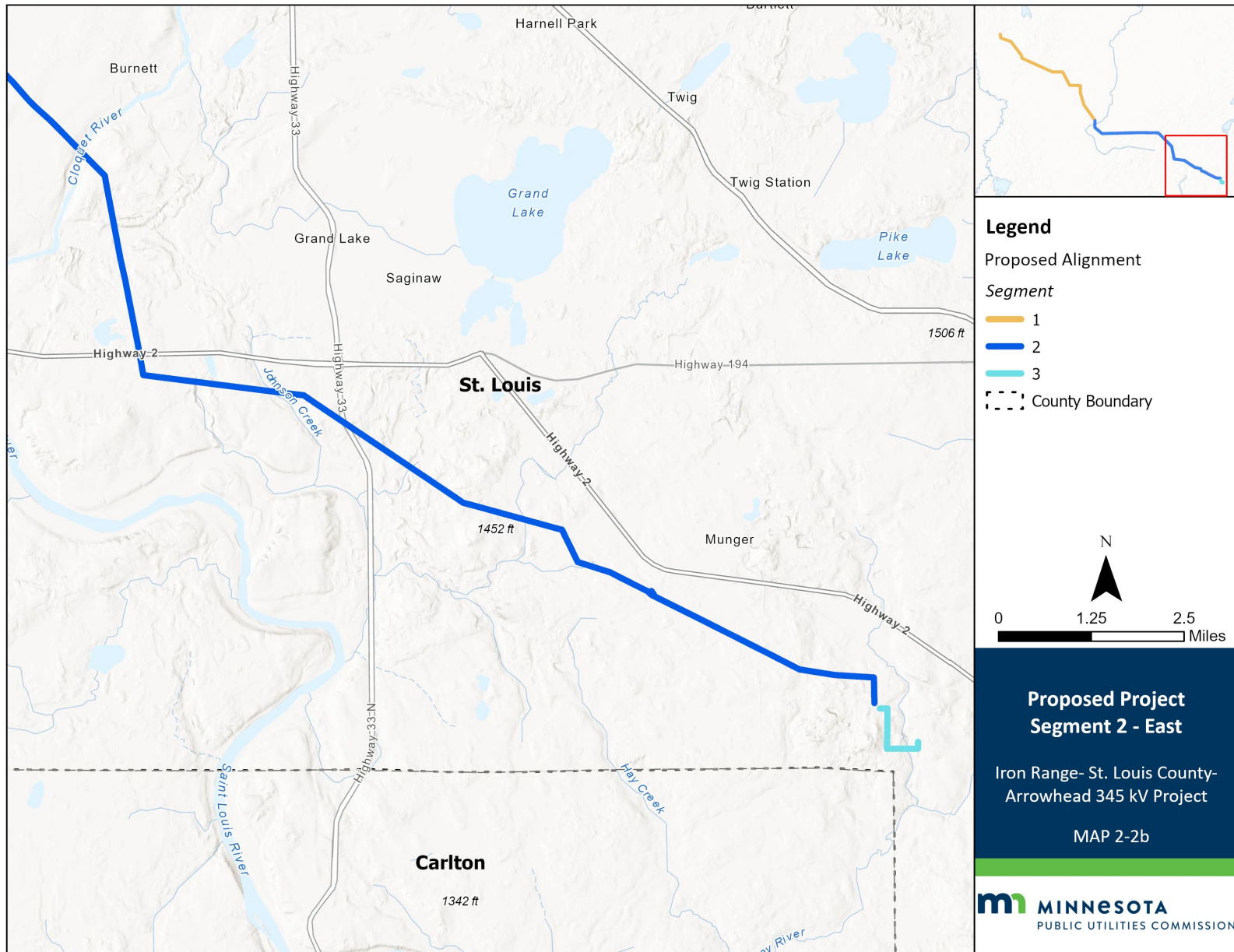
Map 3-6      Route Alternative B

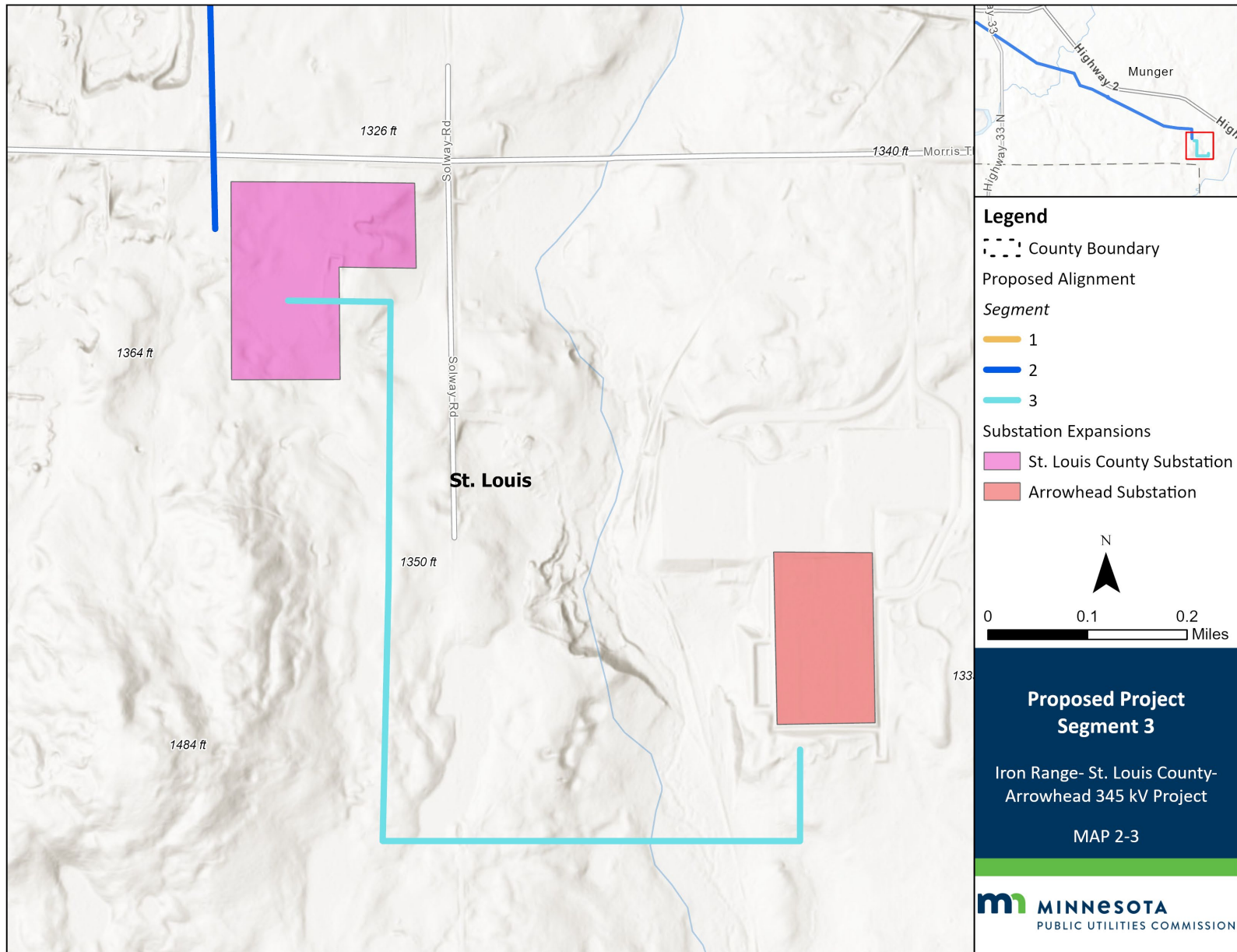
Map 3-7      Route Alternative C

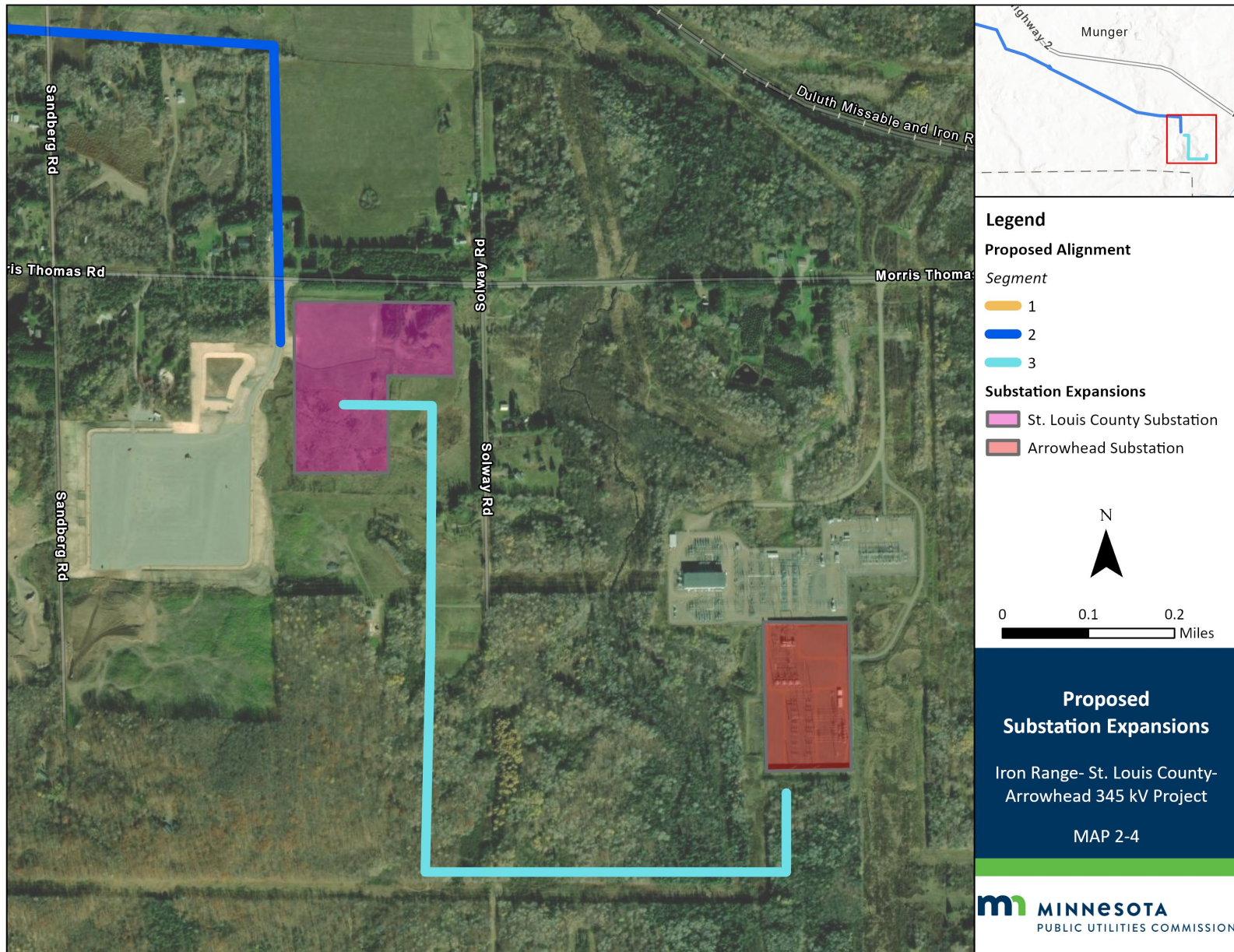


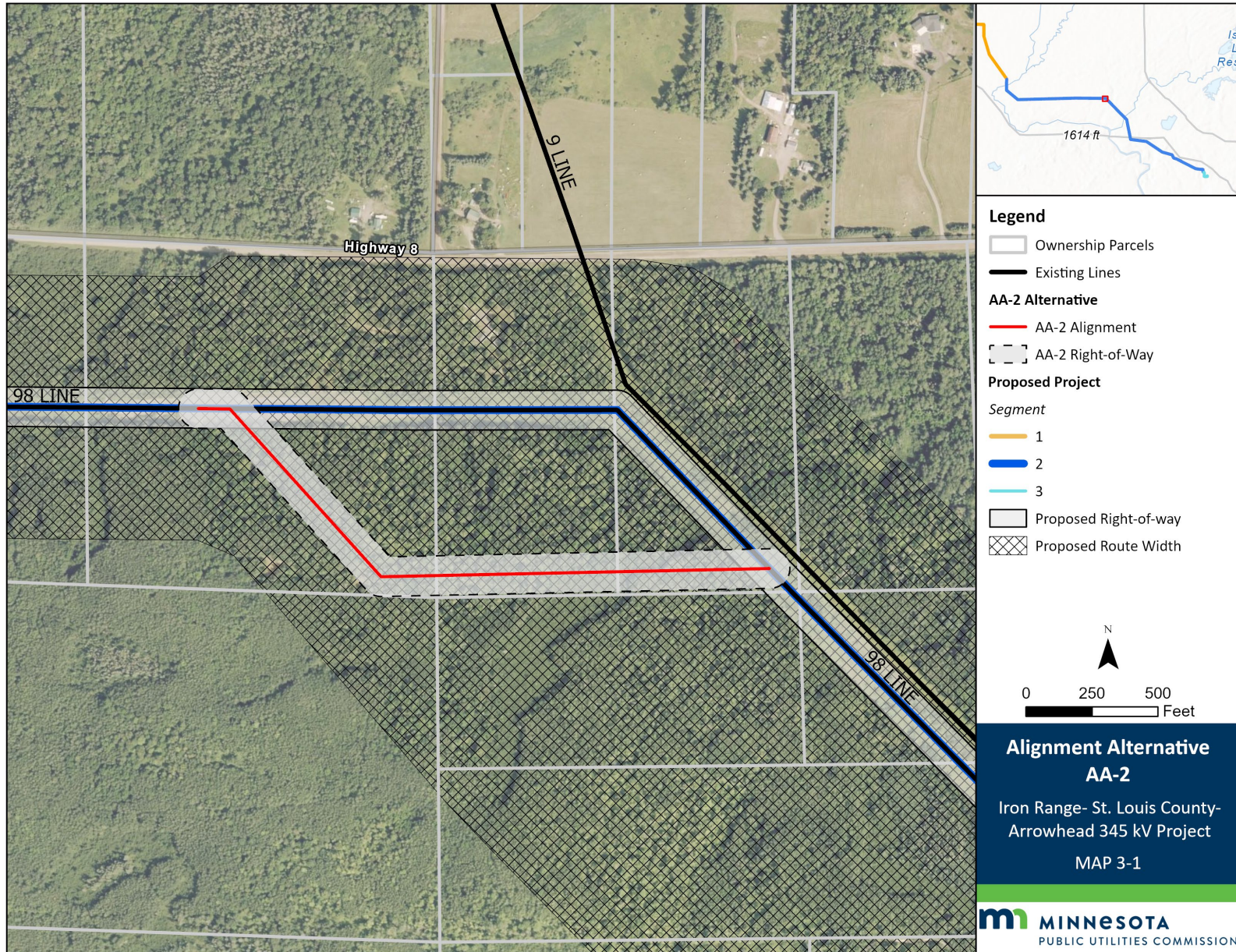


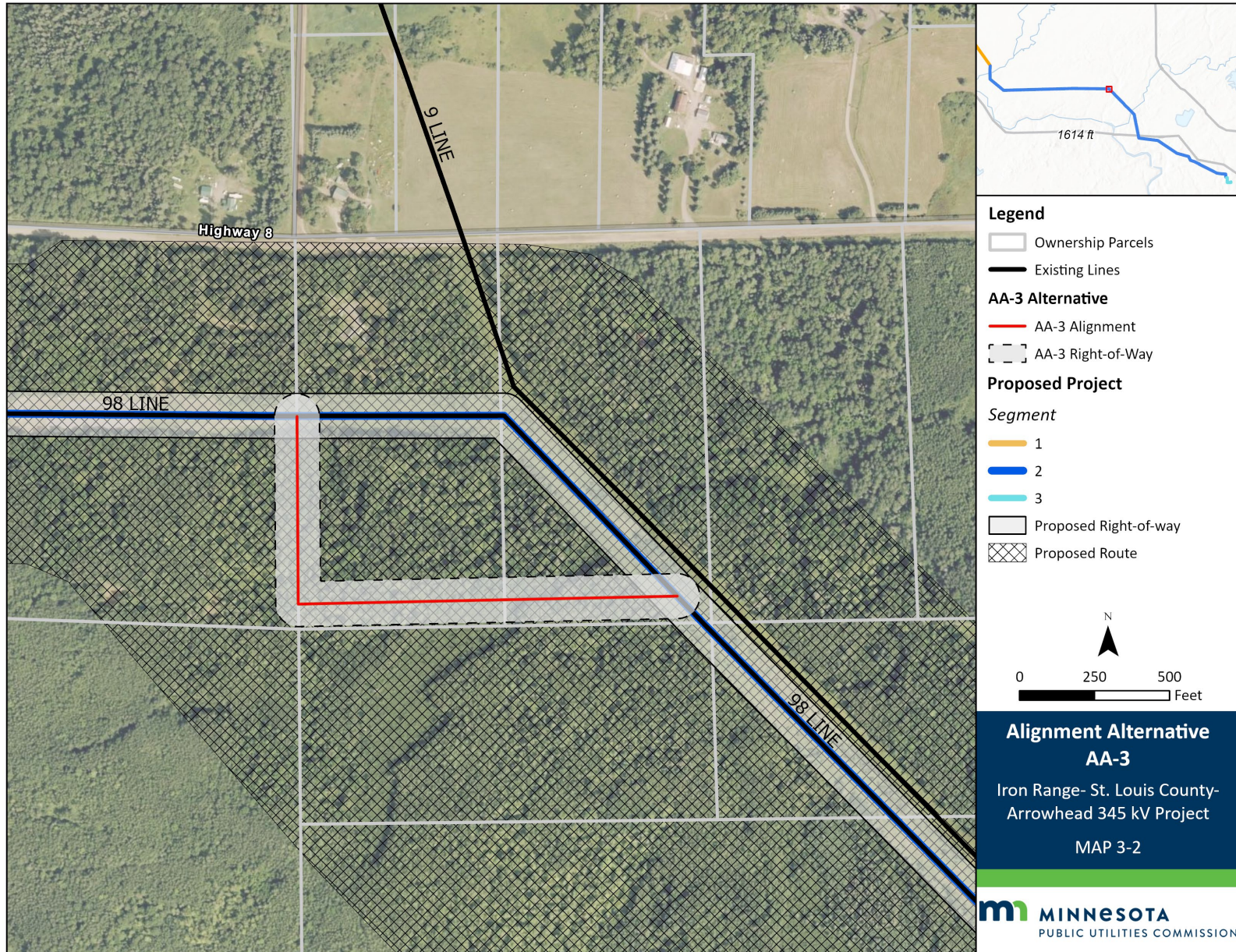


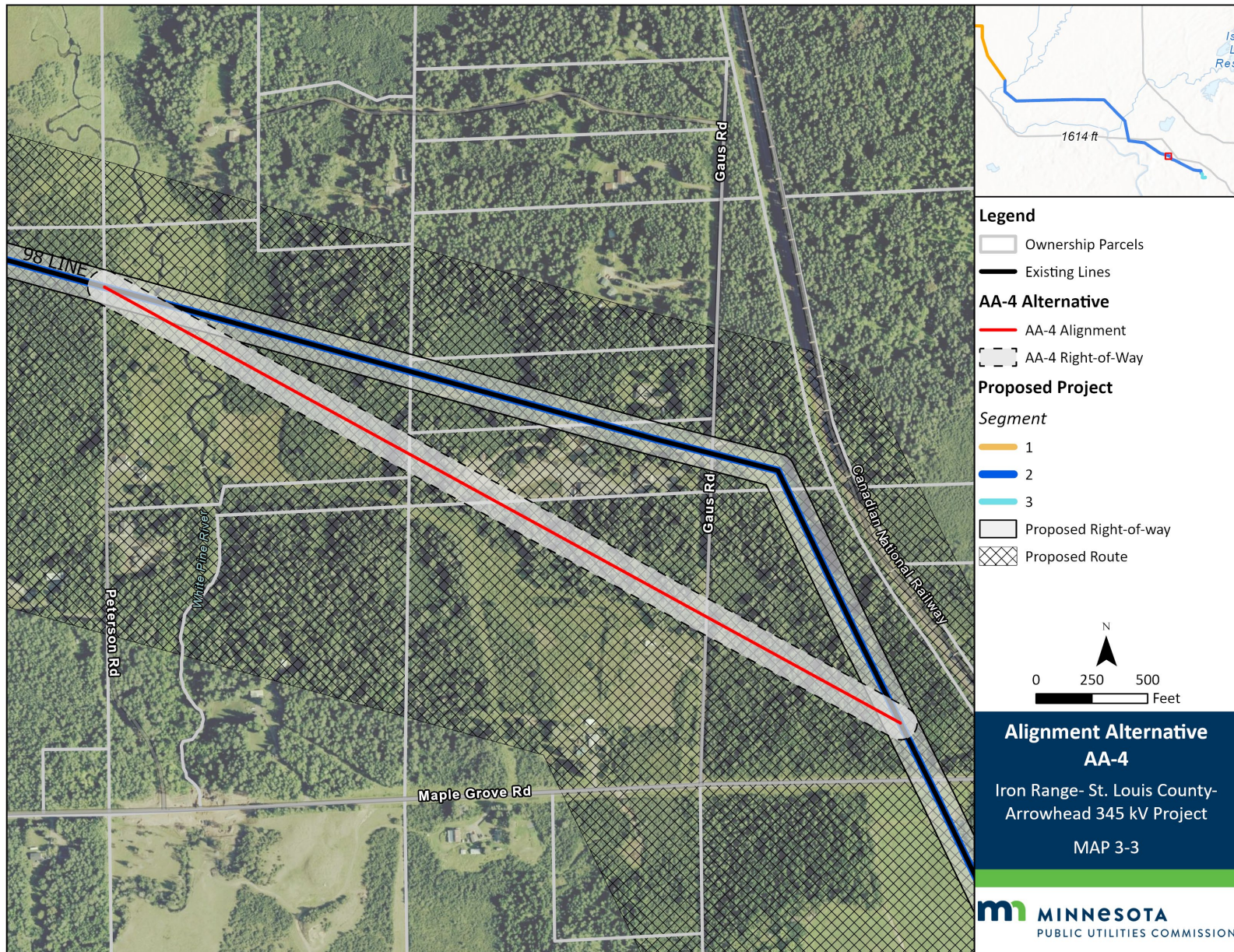


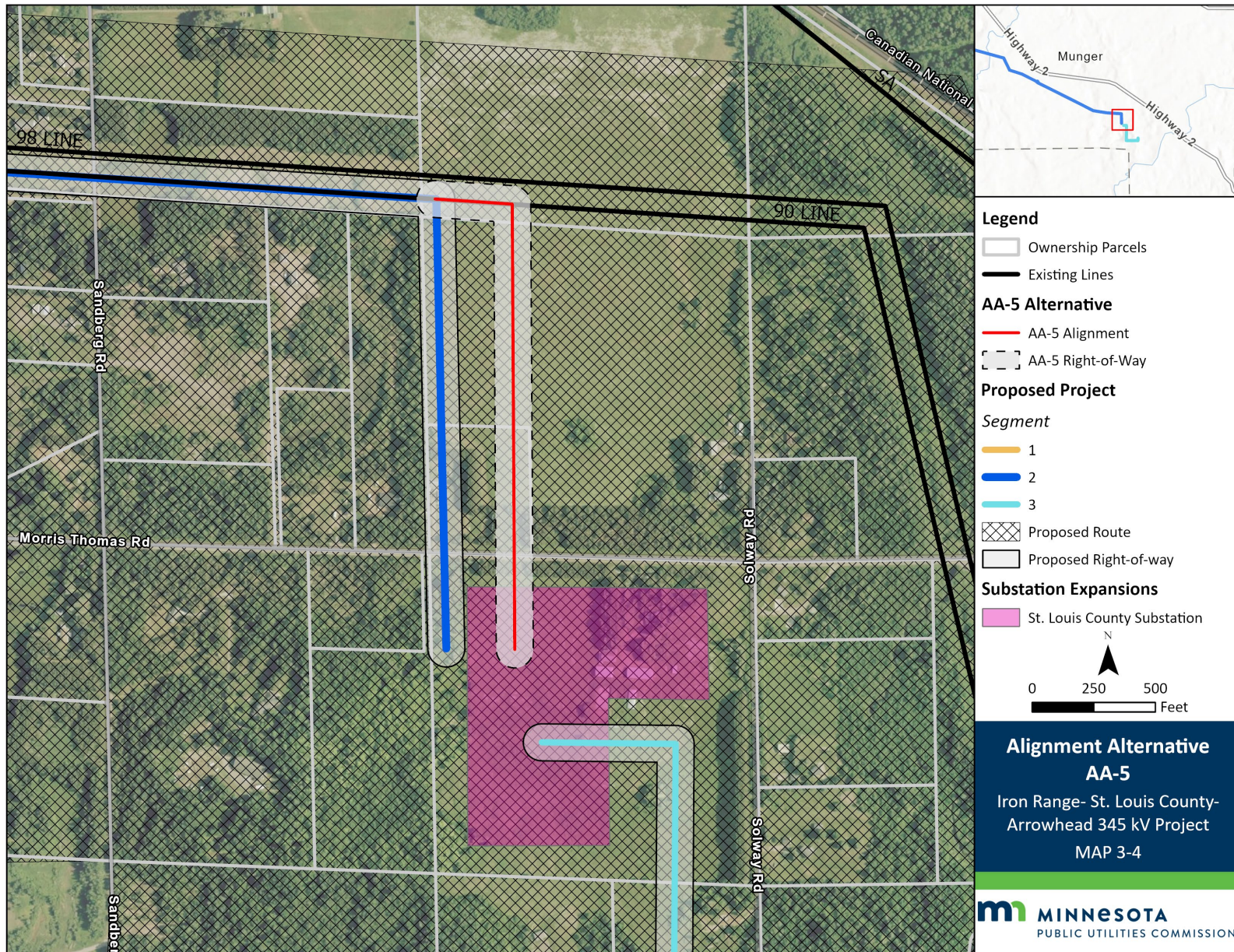


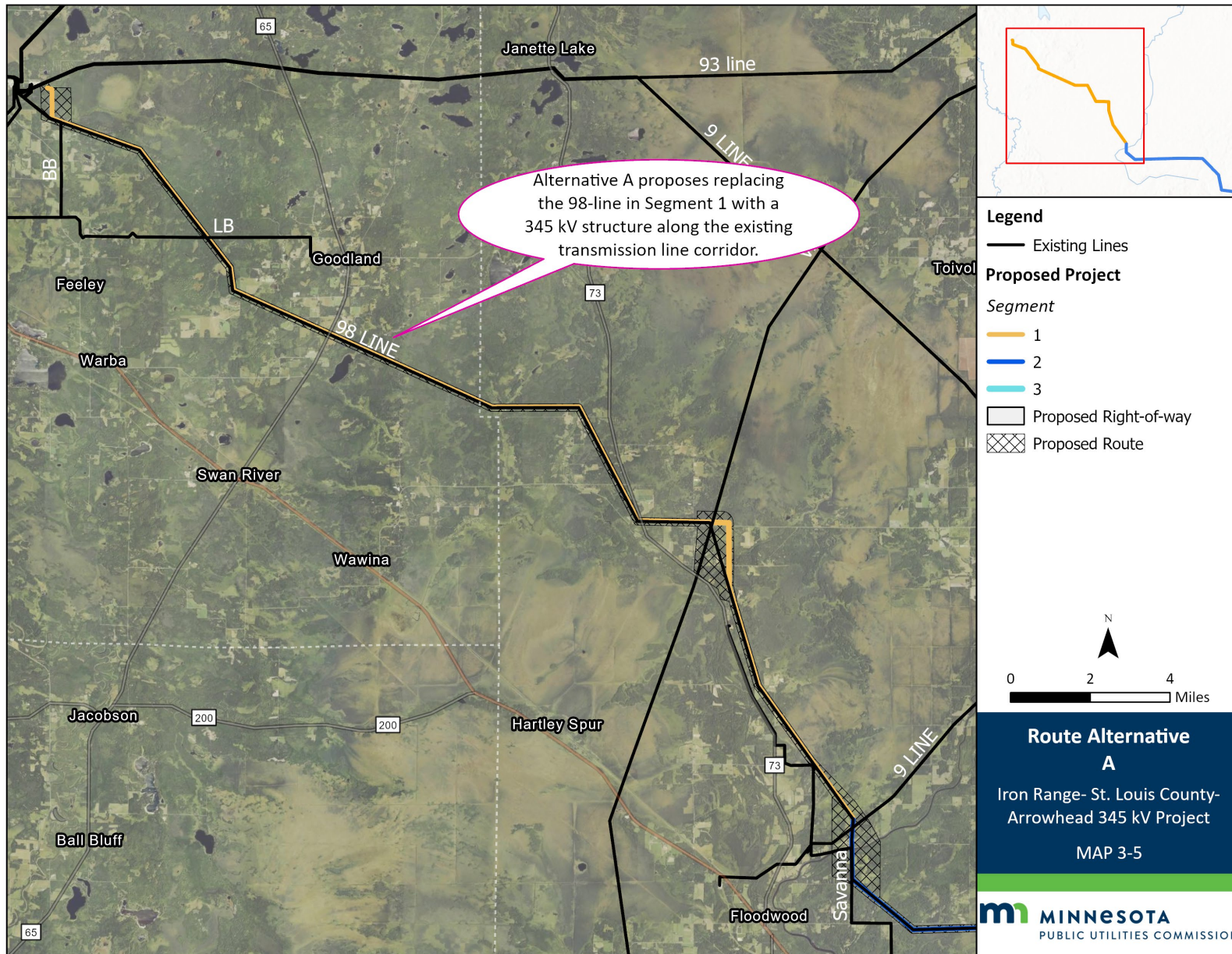


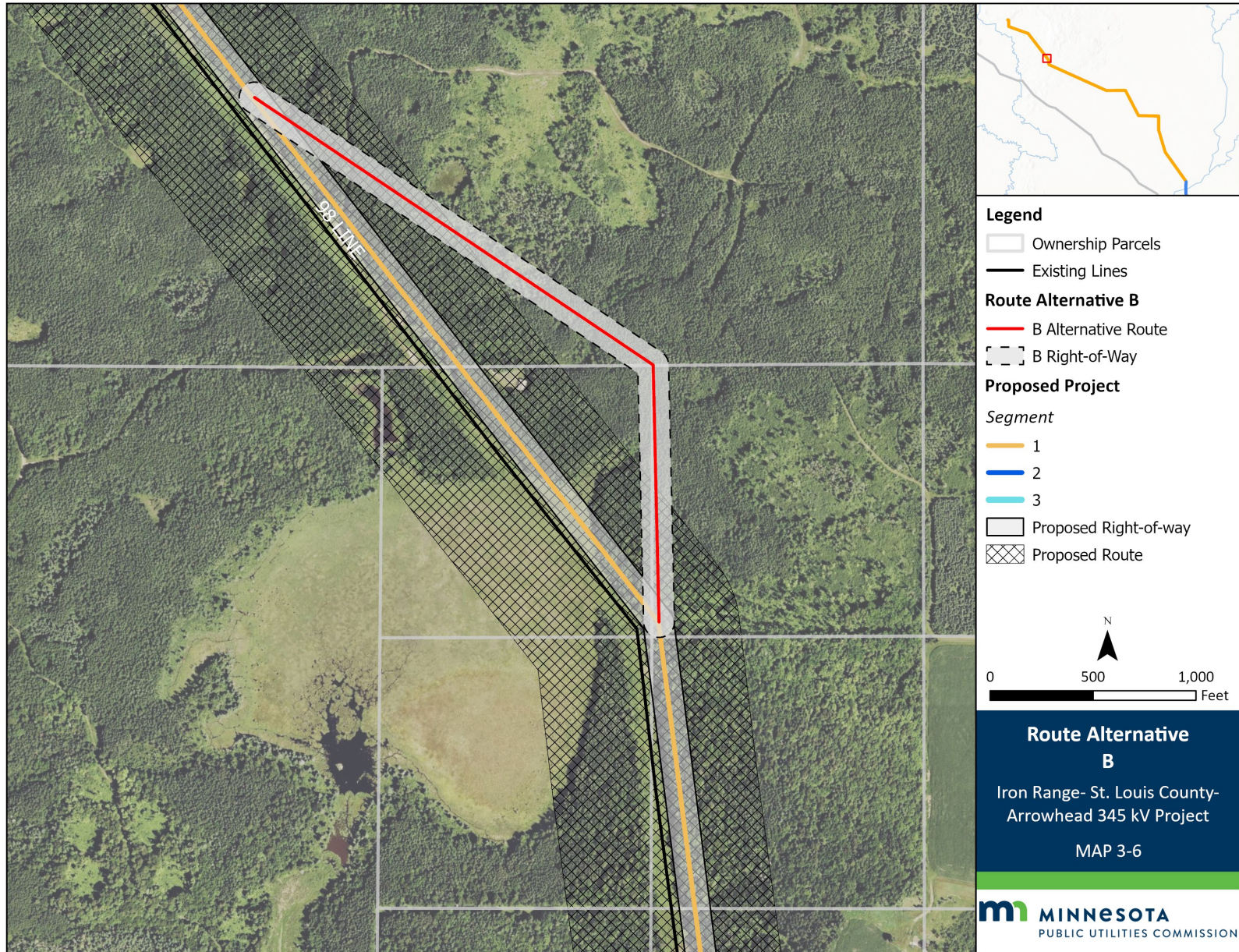


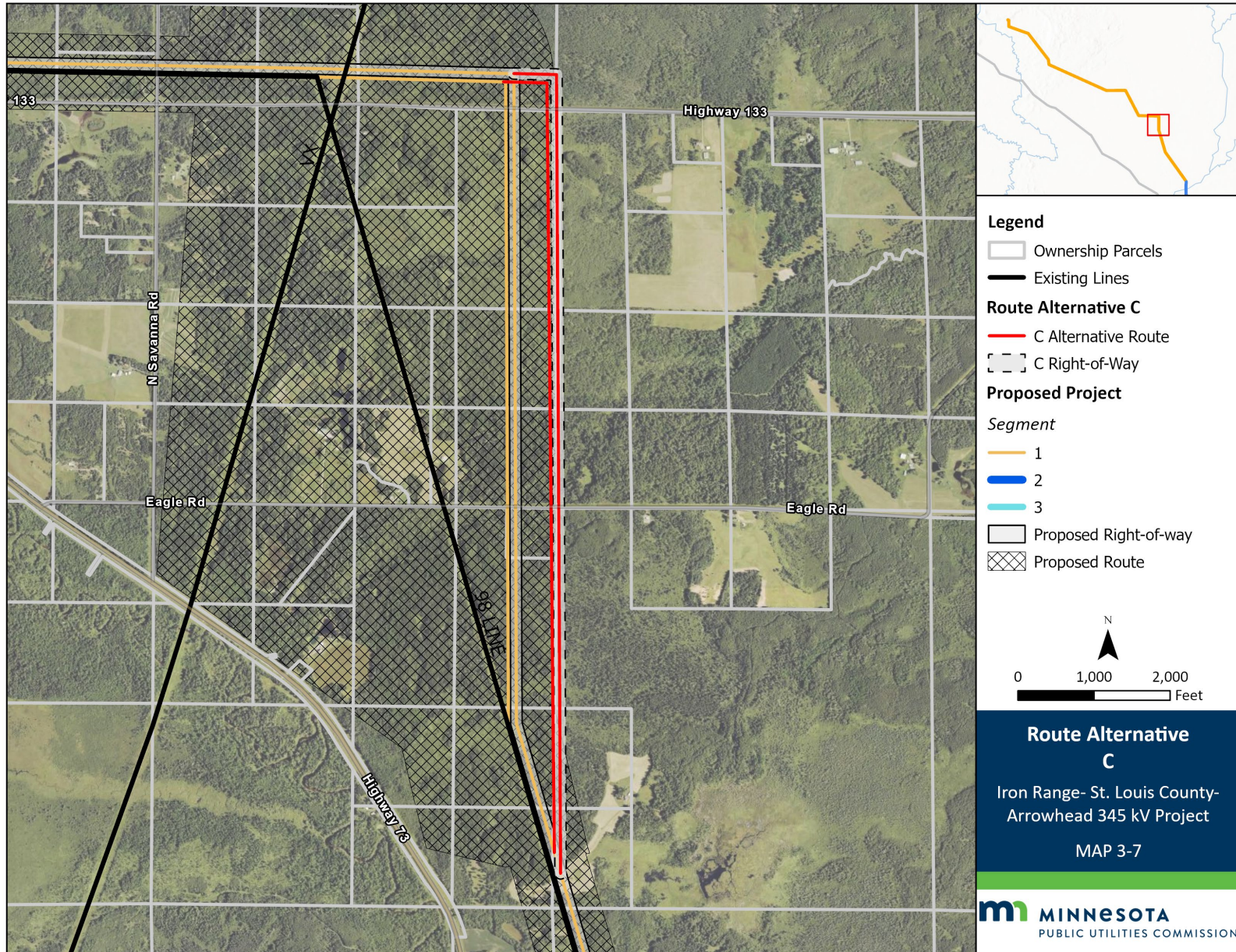












**STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION**

**ROUTE PERMIT FOR  
IRON RANGE – ST. LOUIS COUNTY – ARROWHEAD 345KV TRANSMISSION LINE PROJECT**

**A HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES**

**IN  
ST. LOUIS AND ITASCA COUNTIES**

**ISSUED TO  
MINNESOTA POWER AND AMERICAN TRANSMISSION COMPANY, LLC.**

**PUC DOCKET NO. E015/TL-25-112**

In accordance with the requirements of Minnesota Statutes Chapter 216I, this route permit is hereby issued to:

**MINNESOTA POWER AND AMERICAN TRANSMISSION COMPANY, LLC.**

Minnesota Power and American Transmission Company, LLC are authorized by this route permit to construct and operate a 67.5-mile transmission line between Minnesota Power's existing Iron Range Substation and ATC's Arrowhead Substation in Itasca and St. Louis County, Minnesota. The proposed route is located along and, in some cases, replaces existing high voltage transmission lines for approximately 92 percent of its length.

The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

Approved and adopted this \_\_\_\_ day of [Month, Year]

BY ORDER OF THE COMMISSION

---

Sasha Bergman,  
Executive Secretary

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**ATTACHMENTS**

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

Attachment 2 – Compliance Filing Procedures for Permitted Energy Facilities

Attachment 3 – Route Permit Maps

DRAFT

## 1 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Minnesota Power and American Transmission Company, LLC (Permittees) pursuant to Minnesota Statutes Chapter 216I. This route permit authorizes the Permittees to construct and operate a 67.5-mile 345 kV single-circuit transmission line between Minnesota Power's existing Iron Range Substation and Arrowhead Substation in Itasca and St. Louis County, Minnesota (Iron Range – St. Louis County – Arrowhead 345kV Transmission Line Project, henceforth known as Transmission Facility). The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

### 1.1 Pre-emption

Pursuant to Minn. Stat. § 216I.18, this route permit shall be the sole route approval required for construction of the Transmission Facility. This route permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

## 2 TRANSMISSION FACILITY DESCRIPTION

Minnesota Power and American Transmission Company, LLC will jointly own the 1.5-mile double-circuit 345 kV transmission line between the St. Louis County Substation and the ATC Arrowhead Substation. ATC currently owns and will continue to own the ATC Arrowhead Substation. Minnesota Power will own the remainder of the Project including the existing Iron Range Substation and the 66-mile 345 kV high-voltage transmission line.

The Transmission Facility is located in the following:

Segment	County	Township/ Municipality Name	Township	Range	Section
1	St. Louis	Van Buren	52N	20W	6, 7, 8, 16, 17, 20, 21, 22, 27, 28
	St. Louis	Elmer	53N	20W	19, 30, 31
	St. Louis	Cedar Valley	53N	21W	4, 9, 10, 13, 14, 15, 22, 23, 24, 25, 36
	St. Louis	Unincorporated	54N	21W	31, 32, 33
	Itasca	Goodland	54N	22W	18, 19, 20, 21, 26, 27, 28, 35, 36
	Itasca	Feeley	54N	23W	2, 3, 11, 12, 13, 24
	Itasca	Unincorporated	55N	23W	19, 20, 27, 28, 29, 30, 33, 34, 35
2	St. Louis	Hermantown	50N	15W	30, 31
	St. Louis	Solway	50N	16W	17, 18, 20, 21, 22,

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					25, 26, 27, 28, 36
	St. Louis	Brevator	50N	17W	2, 3, 4, 5, 9, 10, 11, 12, 13
	St. Louis	Industrial	51N	17W	18, 19, 20, 29, 32
	St. Louis	Culver	51N	18W	7, 8, 9, 10, 11, 12, 13
	St. Louis	Arrowhead	51N	19W	7, 8, 9, 10, 11, 12
	St. Louis	Floodwood	51N	20W	2, 3, 4, 11, 12
	St. Louis	Van Buren	52N	20W	27, 28, 33, 34
3	St. Louis	Hermantown	50N	15W	31
	St. Louis	Solway	50N	16W	36

## 2.1 Structures

The structure types as described in the Permittee's route permit application are detailed in the table below.

Line Type	Structure		Foundation	Height	Span
	Type	Material			
Single Circuit 345 kV (Double-Circuit Capable)	Monopole*	Steel	7-10 feet in diameter	120-180	800-1,000
Double-Circuit 345 kV	Monopole*	Steel	7-10 feet in diameter	120-180	800-1,000
Single-Circuit 230 kV	H-Frame	Wood	Direct embed**	65-90	700-900

\* Alternative structure types may be considered based on route-specific technical considerations. These structures may include lattice towers, tubular H-frame, or tubular lattice towers instead of monopoles.

\*\* Certain specialty or dead-end structures may be necessary. These structures may be concrete pier foundations instead of direct embed.

## 2.2 Conductors

Conductor types may include single-circuit lines on double-circuit capable structures with three-phase wires and two shield wires, and double-circuit structures with six phase wires and two shield wires. The phase wires will be 795 thousand circular millimeters of aluminum-conductor steel reinforced (795 ACSR) or a conductor with similar capacity.

### **2.3 Substations and Associated Facilities**

The substations and associated facilities authorized by this Route Permit include:

- Modification of the Iron Range Substation to accommodate one additional 345 kV line entrance and associated high voltage equipment.
- Expansion of the St. Louis County Substation to accommodate three additional 345 kV line entrances and associated high voltage equipment for the Project and associated high voltage equipment.
- Expansion of the ATC Arrowhead Substation to accommodate two additional 345 kV line entrances and associated high voltage equipment.

### **3 DESIGNATED ROUTE**

The route designated by the Commission is depicted on the route maps attached to this route permit (Designated Route). The Designated Route is generally described as follows:

[Provide detailed description of the authorized route including the route widths and any other specifics relevant to each segment.]

The Designated Route includes an anticipated alignment and a right-of-way. The right-of-way is the physical land needed for the safe operation of the transmission line. The Permittee shall locate the alignment and associated right-of-way within the Designated Route unless otherwise authorized by this route permit or the Commission. The Designated Route provides the Permittee with flexibility for minor adjustments of the alignment and right-of-way to accommodate landowner requests and unforeseen conditions.

Any modifications to the Designated Route or modifications that would result in right-of-way placement outside the Designated Route shall be specifically reviewed by the Commission in accordance with Minn. Stat. § 216I.09 and Section 10 of this route permit.

### **4 RIGHT-OF-WAY**

This route permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 150 feet in width. The permanent right-of-way is typically 75 feet on both sides of the transmission line measured from its centerline or alignment. In areas where the line is co-located, the existing right-of-way will be shared.

The anticipated alignment is intended to minimize potential impacts relative to the criteria identified in Minn. Stat. § 216I.05, subd. 11. The final alignment must generally conform to the anticipated alignment identified on the route maps unless changes are requested by individual

landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this route permit.

Any right-of-way or alignment modifications within the Designated Route shall be located so as to have comparable overall impacts relative to the factors in Minn. Stat. § 216I.05, subd. 11, as does the right-of-way and alignment identified in this route permit and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.2 of this route permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. Stat. § 216I.05, subd. 11, and the other requirements of this route permit; and for highways under the jurisdiction of the Minnesota Department of Transportation (MnDOT), the procedures for accommodating utilities in trunk highway rights-of-way.

## **5 GENERAL CONDITIONS**

The Permittee shall comply with the following conditions during construction and operation of the Transmission Facility over the life of this route permit.

### **5.1 Route Permit Distribution**

Within 30 days of issuance of this route permit, the Permittee shall provide all affected landowners with a copy of this route permit and the complaint procedures. An affected landowner is any landowner or designee that is within or adjacent to the Designated Route. In no case shall a landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. The Permittee shall also provide a copy of this route permit and the complaint procedures to the applicable regional development commissions, county environmental offices, and city and township clerks. The Permittee shall file with the Commission an affidavit of its route permit and complaint procedures distribution within 30 days of issuance of this route permit.

### **5.2 Access to Property**

The Permittee shall notify landowners prior to entering or conducting maintenance within their property, unless otherwise negotiated with the landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3 Construction and Operation Practices**

The Permittee shall comply with the construction practices, operation and maintenance

practices, and material specifications described in the permitting record for this Transmission Facility unless this route permit establishes a different requirement in which case this route permit shall prevail.

### **5.3.1 Field Representative**

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this route permit during construction of the Transmission Facility. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative at least 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact information to affected landowners, local government units and other interested persons at least 14 days prior to the pre-construction meeting. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons. The Permittee shall file with the Commission an affidavit of distribution of its field representative's contact information at least 14 days prior to the pre-construction meeting and upon changes to the field representative.

### **5.3.2 Employee Training**

The Permittee shall train all employees, contractors, and other persons involved in the Transmission Facility construction regarding the terms and conditions of this route permit. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.3 Independent Third-Party Monitoring**

Prior to any construction, the Permittee shall propose a scope of work and identify an independent third-party monitor to conduct Project construction monitoring on behalf of the Commission. The scope of work shall be developed in consultation with and approved by Commission staff. This third-party monitor will report directly to and will be under the control of the Commission with costs borne by the Permittee.

The Permittee shall file with the Commission the approved scope of work and the name, address, email, and telephone number of the third party-monitor at least 14 days prior to commencing any construction or right-of-way preparation and upon any change in contact information that may occur during Project construction and restoration of the right-of-way.

The Permittee shall keep records of compliance with this section and ensure that status reports

detailing the construction monitoring are filed with the Commission in accordance with the approved scope of work.

#### **5.3.4 Public Services, Public Utilities, and Existing Easements**

During Transmission Facility construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these shall be temporary, and the Permittee shall restore service promptly. Where any impacts to utilities have the potential to occur the Permittee shall work with both landowners and local entities to determine the most appropriate mitigation measures if not already considered as part of this route permit.

The Permittee shall coordinate with county and city road authorities to develop appropriate signage and traffic management during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

#### **5.3.5 Temporary Workspace**

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. The Permittee shall obtain temporary easements outside of the authorized transmission line right-of-way from affected landowners through rental or lease agreements. Temporary easements are not provided for in this route permit.

The Permittee may construct temporary driveways between roadways and transmission structures to minimize impacts by using the shortest route feasible. The Permittee shall use construction mats to minimize impacts on access paths and construction areas. The Permittee shall submit the location of temporary workspaces and driveways with the plan and profile pursuant to Section 9.2.

#### **5.3.6 Noise**

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. The Permittee shall limit construction and maintenance activities to daytime working hours to the extent practicable.

#### **5.3.7 Aesthetics**

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. The Permittee shall use care to preserve the natural

landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the Transmission Facility during construction and maintenance. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. The Permittee shall place structures at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

### **5.3.8 Soil Erosion and Sediment Control**

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the Transmission Facility disturbs more than one acre of land or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater Permit from the MPCA that provides for development of a Stormwater Pollution Prevention Plan that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the Transmission Facility shall be returned to pre-construction conditions.

### **5.3.9 Wetlands and Water Resources**

The Permittee shall develop wetland impact avoidance measures and implement them during construction of the Transmission Facility. Measures shall include spacing and placing transmission structures at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of structures shall be limited to the immediate area around the structures. To minimize impacts, the Permittee shall construct in wetland areas during frozen ground conditions where practicable and according to permit requirements by the applicable permitting authority. When construction during winter is not possible, the Permittee shall use wooden or composite mats to protect wetland vegetation.

The Permittee shall contain soil excavated from the wetlands and riparian areas and not place it back into the wetland or riparian area. The Permittee shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent

unnecessary impacts. The Permittee shall not place staging or stringing set up areas within or adjacent to wetlands or water resources, as practicable. The Permittee shall assemble structures on upland areas before they are brought to the site for installation.

The Permittee shall restore wetland and water resource areas disturbed by construction activities to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. The Permittee shall meet the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (DNR), Minnesota Board of Water and Soil Resources, and local units of government wetland and water resource requirements.

#### **5.3.10 Vegetation Management**

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

The Permittee shall remove tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission line. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation will not pose a threat to the transmission line or impede construction.

The Permittees shall develop a vegetation management plan (VMP), in coordination with the Vegetation Management Plan Working Group (VMPWG), using best management practices established by the DNR and BWSR. The Permittee shall file the VMP and documentation of the coordination efforts between the Permittee and the DNR with the Commission as part of the plan and profile required in Section 9.2 of the Permit.

#### **5.3.11 Application of Pesticides**

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture (MDA), DNR, and the U.S. Environmental Protection Agency (EPA). Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner at least 14 days prior to pesticide application on their

property. The Permittee may not apply any pesticide if the landowner requests that there be no application of pesticides within the landowner's property. The Permittee shall provide notice of pesticide application to landowners and beekeepers operating known apiaries within three miles of the pesticide application area at least 14 days prior to such application. The Permittee shall use the MDA's Apiary Registry (<https://mn.beecheck.org/map>) to identify known apiaries for purposes of compliance with this condition. The Permittee shall keep pesticide communication and application records and provide them upon the request of Commission staff.

#### **5.3.12 Invasive Species**

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by Transmission Facility construction activities. The Permittee shall develop an Invasive Species Prevention Plan and file it with the Commission at least 14 days prior to the pre-construction meeting. The Permittee shall comply with the most recently filed Invasive Species Prevention Plan.

#### **5.3.13 Noxious Weeds**

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

#### **5.3.14 Roads**

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city, or township roads that will be used during the construction phase of the Transmission Facility. Where practical, existing roadways shall be used for all activities associated with construction of the Transmission Facility. Oversize or overweight loads associated with the Transmission Facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the fewest number of site access roads required. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

### **5.3.15 Archaeological and Historic Resources**

The Permittee shall make every effort to avoid impacts to archaeological and historic resources when constructing the Transmission Facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize Transmission Facility impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

The Permittee shall develop an Unanticipated Discoveries Plan (UDP) to identify guidelines to be used in the event previously unrecorded archeological or historic properties, or human remains, are encountered during construction, or if unanticipated effects to previously identified archaeological or historic properties occur during construction. The UDP is in addition to and not in lieu of any other obligations that may exist under law or regulation relating to these matters. The Permittee shall file the UDP with the Commission at least 14 days prior to the preconstruction meeting.

The Permittee shall train workers about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall, in accordance with Minn. Stat. Ch. 307 (Private Cemeteries Act), immediately halt construction and promptly notify local law enforcement and the State Archaeologist. The Permittee shall not resume construction at such location until authorized by local law enforcement or the State Archaeologist. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.16 Avian Protection**

The Permittee in cooperation with the DNR shall identify areas of the transmission line where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. The Permittee shall submit documentation of its avian protection coordination with the plan and profile pursuant to Section 9.2.

### **5.3.17 Drainage Tiles**

The Permittee shall avoid, promptly repair, or replace all drainage tiles broken or damaged during all phases of the Transmission Facility's life. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.18 Restoration**

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the Transmission Facility. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall file with the Commission a Notice of Restoration Completion.

### **5.3.19 Cleanup**

The Permittee shall remove and properly dispose of all construction waste and scrap from the right-of-way and all premises on which construction activities were conducted upon completion of each task. The Permittee shall remove and properly dispose of all personal litter, including bottles, cans, and paper from construction activities daily.

### **5.3.20 Pollution and Hazardous Wastes**

The Permittee shall take all appropriate precautions to protect against pollution of the environment. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all waste generated during construction and restoration of the Transmission Facility.

### **5.3.21 Damages**

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.22 Facility Lighting**

The Permittee shall use shielded and downward facing lighting and LED lighting that minimizes blue hue.

### **5.3.23 Dust Control**

The Permittee shall utilize non-chloride products for onsite dust control during construction.

### **5.3.24 Wildlife Friendly Erosion Control**

The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives or malachite green dye.

## **5.4 Electrical Performance Standards**

### **5.4.1 Grounding**

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliamperes rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

### **5.4.2 Electric Field**

The Permittee shall design, construct, and operate the transmission line in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

### **5.4.3 Interference with Communication Devices**

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the Transmission Facility, the Permittee shall take whatever action is necessary to restore or

provide reception equivalent to reception levels in the immediate area just prior to the construction of the Transmission Facility. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

## **5.5 Other Requirements**

### **5.5.1 Safety Codes and Design Requirements**

The Permittee shall design the transmission line and associated facilities to meet or exceed all relevant local and state codes, the National Electric Safety Code, and North American Electric Reliability Corporation requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements.

### **5.5.2 Other Permits and Regulations**

The Permittee shall comply with all applicable state statutes and rules. The Permittee shall obtain all required permits for the Transmission Facility and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations.

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission an Other Permits and Regulations Submittal that contains a detailed status of all permits, authorizations, and approvals that have been applied for specific to the Transmission Facility. The Other Permits and Regulations Submittal shall also include the permitting agency name; the name of the permit, authorization, or approval being sought; contact person and contact information for the permitting agency or authority; brief description of why the permit, authorization, or approval is needed; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such and an updated Other Permits and Regulations Submittal prior to commencing construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals at the request of Commission staff.

## **6 SPECIAL CONDITIONS**

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

### **6.1 Tree Replacement Plan**

The Permittee shall, in coordination with affected landowners, the DNR, and the affected counties, develop a tree replacement plan to replace any trees that are removed for the construction of the Project and file the plan with the Commission at least 14 days before the pre-construction meeting. Replacement plantings may be new seedling or sapling trees. Replacement plantings may occur on public or private lands with the permission of the landowner or public entity and shall be prioritized within the county where the project is located. At least 45 days prior to the pre-construction meeting, the Permittee shall make a tree replacement plan compliance filing including the estimated cost of the plan.

The tree replacement plan may include an alternative proposal to fund tree replacements through DNR Forestry Programs or other similar public programs.

### **6.2 Aquatic Management Areas and Trout Streams**

The permittee shall avoid placing infrastructure in aquatic management areas (AMAs) and avoid additional trout stream crossings, as practicable. If avoidance is not possible, the permittee shall minimize additional right-of-way in these areas. The permittee shall develop site-specific plans for each trout stream crossing in coordination with DNR staff to restore and revegetate floodplain habitat to the greatest extent feasible. Restoration within the right-of-way near trout streams, their tributaries, and AMAs must be coordinated with the DNR to ensure that restoration in these areas provides adequate resource protection.

### **6.3 State Managed Natural Resources**

The Permittee shall file with the Commission concurrent with submittal of the plan and profile required in Section 9.2 of this permit, documentation of coordination with the DNR to identify those areas of the Designated Route that contain rare natural communities or state managed resources as determined by the DNR.

### **6.4 Trails**

The permittee shall coordinate with the DNR, snowmobile associations, and any local trail organizations regarding any impacts to trails, such as temporary closures, from Project construction and maintenance.

### **6.5 Tree Clearing Timing**

In accordance with applicable U.S. Fish and Wildlife Service guidance and requirements, the Permittees shall restrict the timing of tree clearing activities to periods outside of the summer occupancy period for Northern Long-eared Bat (April 15 – September 30) to avoid and/or minimize potential impacts to protected bat species, including the Northern Long-Eared Bat.

### **6.6 State-Listed Species**

Prior to the start of construction, the Permittee shall resubmit a Natural Heritage Review and continue to consult with the MDNR regarding implementation of avoidance measures for state

listed threatened and endangered species. The Permittee will comply with applicable Minnesota Department of Natural Resources requirements related to state-listed endangered and threatened species in accordance with Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, parts 6212.1800 to 6212.2300 and 6134). The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

#### **6.7 St. Louis County Lands and Minerals Department**

The permittee shall coordinate with the St. Louis County Lands and Minerals Department regarding any impacts to county managed lands.

#### **6.8 Snow Traps**

The permittee shall coordinate with MnDOT's Blowing Snow Control team regarding any impacts to the active snow trap located along trunk highway 65.

#### **6.9 Dust Control for Unpaved Roads**

The permittee shall utilize dust control methods on unpaved roads near residences that are used for construction and operation of the project.

#### **6.10 Noise Notification for Adjacent Residences**

The Permittee shall provide notice to adjacent residences detailing when major noise-producing construction activities are planned to occur. The Permittee shall maintain a webpage identifying days, times, and areas where construction crews will be doing construction. The Permittee shall provide all neighboring landowners and the township a link to the website prior to construction and shall update the website frequently during construction to keep landowners informed where work will be occurring.

#### **6.11 Noise Study and Monitoring**

The Permittee shall file a proposed methodology for conducting a post-construction noise study in Segment 3 at least 14 days prior to the pre-construction meeting. The Permittee shall develop the post-construction noise study methodology in consultation with Commission staff. The Permittee must conduct the postconstruction noise study and file with the Commission the completed post-construction noise study within 18 months of commencing commercial operation.

The substation facilities and associated facilities shall be constructed and operated such that the Permittee shall, at all times, comply with noise standards established by the MPCA. Operation of the facilities shall be modified, or project components shall be removed from service if necessary to comply with these noise standards.

## **7 DELAY IN CONSTRUCTION**

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this route permit the Permittee shall file a Failure to Construct Report and the Commission shall consider suspension of this route permit in accordance with Minn. Stat. § 216I.24.

## **8 COMPLAINT PROCEDURES**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the complaint procedures that will be used to receive and respond to complaints. The complaint procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this route permit.

Upon request, the Permittee shall assist Commission staff with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

## **9 COMPLIANCE REQUIREMENTS**

Failure to timely and properly make compliance filings required by this route permit is a failure to comply with the conditions of this route permit. Compliance filings must be electronically filed with the Commission.

### **9.1 Pre-Construction Meeting**

Prior to the start of construction, the Permittee shall participate in a pre-construction meeting with Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the anticipated construction start date.

### **9.2 Plan and Profile**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission, and provide the counties where the Transmission Facility, or portion of the Transmission Facility, will be constructed with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the Transmission Facility. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and

structures in relation to the route and alignment approved by this route permit.

The Permittee may not commence construction until the earlier of (i) 30 days after the pre-construction meeting or (ii) until the Commission staff has notified the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this route permit.

If the Commission notifies the Permittee in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this route permit, the Permittee may submit additional and/or revised documentation and may not commence construction until the Commission has notified the Permittee in writing that it has determined that the planned construction is consistent with this route permit.

If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission and county staff at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this route permit.

### **9.3 Status Reports**

The Permittee shall file with the Commission monthly Construction Status Reports beginning with the pre-construction meeting and until completion of restoration. Construction Status Reports shall describe construction activities and progress, activities undertaken in compliance with this route permit, and shall include text and photographs.

If the Permittee does not commence construction of the Transmission Facility within six months of this route permit issuance, the Permittee shall file with the Commission Pre-Construction Status Reports on the anticipated timing of construction every six months beginning with the issuance of this route permit until the pre-construction meeting. The Status Reports shall include information on the Project's Midcontinent Independent System Operator (MISO) interconnection process, if applicable.

### **9.4 Labor Statistic Reporting**

The Permittee shall file quarterly Labor Statistic Reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the Project. The Labor Statistic Reports shall:

- A. detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers; and

B. provide an account of:

- 1) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7;
- 2) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the Project; and
- 3) the total gross hours worked or total full-time equivalent workers.

The Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.

### **9.5 Prevailing Wage**

The Permittee, its contractors, and subcontractors shall (1) pay no less than the prevailing wage rate as defined in Minn. Stat. § 177.42; and (2) shall be subject to the requirements and enforcement provisions under Minn. Stat. §§ 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45. The Permittee shall keep records of contractor and subcontractor pay and provide them at the request of Commission staff.

### **9.6 In-Service Date**

At least three days before the Transmission Facility is to be placed into service, the Permittee shall notify the Commission of the date on which the Transmission Facility will be placed into service and the date on which construction was completed.

### **9.7 As-Builts**

Within 90 days after completion of construction, the Permittee shall submit to the Commission copies of all final as-built plans and specifications developed during the Transmission Facility construction.

### **9.8 GPS Data**

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (*e.g.*, ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the Transmission Facility and each substation connected.

### **9.9 Right of Entry**

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- A. To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.
- B. To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- C. To sample and monitor upon the facilities easement of the property.
- D. To examine and copy any documents pertaining to compliance with the conditions of this route permit.

### **10 ROUTE PERMIT AMENDMENT**

The Commission has the authority to modify this route permit at any time. The Permittee may request an amendment of the conditions of this route permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required under Minn. Stat. § 216I.09.

### **11 TRANSFER OF ROUTE PERMIT**

The Permittee may request at any time that the Commission transfer this route permit to another person or entity (transferee). In its request, the Permittee must provide the Commission with:

- A. the name and description of the transferee;
- B. the reasons for the transfer;
- C. a description of the facilities affected; and
- D. the proposed effective date of the transfer.

The transferee must provide the Commission with a certification that it has read, understands and is able to comply with the plans and procedures filed for the Transmission Facility and all conditions of this route permit. The Commission may authorize transfer of the route permit after affording the Permittee, the transferee, and interested persons such process as is required under Minn. Stat. § 216I.13.

**12 REVOCATION OR SUSPENSION OF ROUTE PERMIT**

The Commission may initiate action to revoke or suspend this route permit at any time. The Commission shall act in accordance with the requirements of Minn. Stat. § 216I.24, to revoke or suspend this route permit.

DRAFT

**ATTACHMENT 1**  
Complaint Handling Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLAINT HANDLING PROCEDURES FOR  
PERMITTED ENERGY FACILITIES**

**A. Purpose**

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

**B. Scope**

This document describes complaint reporting procedures and frequency.

**C. Applicability**

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

**D. Definitions**

**Complaint:** A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

**Substantial Complaint:** A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

**Unresolved Complaint:** A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

**Person:** An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

**E. Complaint Documentation and Processing**

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.
2. A person presenting the complaint should, to the extent possible, include the following information in their communications:
  - a. name, address, phone number, and email address;
  - b. initial date of the complaint;
  - c. tract, parcel number, or address of the complaint;
  - d. a summary of the complaint; and
  - e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
  - a. docket number and project name;
  - b. name of complainant, address, phone number and email address;
  - c. precise description of property or parcel number;
  - d. name of permittee representative receiving complaint and date of receipt;
  - e. nature of complaint and the applicable permit condition(s);
  - f. summary of activities undertaken to resolve the complaint; and
  - g. a statement on the final disposition of the complaint.

**F. Reporting Requirements**

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

**Immediate Reports:** All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 651-296-0406 or 800-657-3782 (voice messages are acceptable) or [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us). For e-mail reporting,

the email subject line should read “PUC EIP Complaint” and include the appropriate project docket number.

**Monthly Reports:** During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to the eDockets system. The eDockets system is located at: <https://efiling.web.commerce.state.mn.us/>. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of six months following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

#### **G. Complaints Received by the Commission**

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

#### **H. Commission Process for Unresolved Complaints**

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate people if it determines that the complaint is a substantial complaint. With respect to such complaints, the permittee and

complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.

**I. Permittee Contacts for Complaints and Complaint Reporting**

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Consumer Affairs Office at 651-296-0406 or 800-657-3782 (voice messages are acceptable) or [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us). The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

**ATTACHMENT 2**  
Compliance Filing Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLIANCE FILING PROCEDURE FOR  
PERMITTED ENERGY FACILITIES**

**A. Purpose**

To establish a uniform and timely method of submitting information required by Commission energy facility permits.

**B. Scope and Applicability**

This procedure encompasses all known compliance filings required by the permit.

**C. Definitions**

**Compliance Filing:** A filing of information to the Commission, where the information is required by a Commission site or route permit.

**D. Responsibilities**

1. The permittee shall file all compliance filings through the eDockets system. The eDockets system is located at: <https://efiling.web.commerce.state.mn.us/>

General instructions are provided on the eDockets website. Permittees must register on the website to file documents.

2. All filings must have a cover sheet that includes:
  - a. Date
  - b. Name of submitter/permittee
  - c. Type of permit (site or route)
  - d. Project location
  - e. Project docket number
  - f. Permit section under which the filing is made
  - g. Short description of the filing

3. The Commission may request a paper copy or USB drive of filings that are graphic intensive (e.g., maps and engineered drawings), in addition to being electronically filed. If requested, send a paper copy or USB drive to: Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147.

**PERMIT COMPLIANCE FILINGS<sup>1</sup>**

PERMITTEE:

PERMIT TYPE:

PROJECT LOCATION:

PUC DOCKET NUMBER:

Permit Section	Description of Compliance Filing	Due Date

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<sup>1</sup> This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.