

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Detroit
Lakes Public Utility for a High-Voltage
Transmission Line Route Permit in Becker
County

SUMMARY OF PUBLIC COMMENTS

This matter was assigned to Administrative Law Judge Jim Mortenson to prepare a report setting forth a summary of public comments related to Detroit Lakes Public Utility's (Applicant) Application for a Route Permit (Route Permit) for a 115 kilovolt (kV) Transmission Project in Becker County. The Applicant is seeking to construct a 115 kV transmission line and new substation in Becker County (the Project).

Administrative Law Judge Jessica Palmer-Denig, on behalf of Judge Mortenson, held a remote public hearing on June 30, 2020. Vernell Roberts, General Manager for Applicant and Dennis Haselhoff, DRG Engineering, appeared on behalf of Applicant. Jamie MacAlister appeared on behalf of the Department of Commerce (Department). Michael Kaluzniak appeared on behalf of the Minnesota Public Utilities Commission (PUC).

The public was advised that, in addition to making comments at the hearing, they could submit written comments until July 14, 2020.¹ At the outset of the public hearing, Haselhoff described the Project and Kaluzniak explained the PUC permitting process.²

I. The Project

1. Applicant owns and operates a municipal electric system that provides electric service to the citizens of Detroit Lakes, Minnesota and surrounding areas.³

¹ Public Hearing Transcript (Tr.) at 7 (June 30, 2020); see also First Prehearing Order (May 18, 2020) (eDocket No. 20205-163286-01).

² Tr. at 8-16.

³ Detroit Lakes Public Utilities Application to the Minnesota Public Utilities Commission for a Route Permit 115 kV HVTL and South Substation Project at 1 (Nov. 6, 2019) (eDocket No. 201911-157283-02) (hereinafter "Application").

2. The Project includes a new 115 kV transmission line and a substation south of Detroit Lakes in Becker County, Minnesota.⁴ The Project utilizes existing road right-of-way along US 59.⁵

3. Applicant will construct approximately 2.2 miles of north-south transmission line. The new transmission line will tie into an existing 115 kV transmission line located in Section 33, T138N, R41W.⁶ The transmission line then follows the east side of US 59 north for approximately .70 mile, before crossing US 59 and continuing north for 1.5 miles on the west side of the highway to the new substation.⁷

4. The south terminus of the proposed HVTL will be a new switch structure that will be installed within an existing HVTL owned and operated by Great River Energy (GRE).⁸ GRE is responsible for the design of this structure.⁹ GRE has requested that the switch structure be installed outside of the right-of-way.¹⁰ The current plan is to have the switch structure installed ten (10) feet from the right-of-way line on private property.¹¹ Applicant will need to acquire a private easement from the landowner for overhang of the proposed HVTL.¹²

5. The proposed 115/12.47 kV substation will have a 14 mega volt ampere (MVA) transformer along with associated equipment, control house, circuit breakers, and surge arrestors.¹³ The estimated dimensions for the new substation, subject to final design, are 140 feet by 160 feet.¹⁴

6. Applicant proposes to use single pole structures between 70 and 80 feet in height with spans ranging from 275-310 feet depending on conductor configuration.¹⁵

7. Applicant requests approval of a variable route width from 100-160 feet from the centerline of US 59.¹⁶ At the Minnesota Department of Transportation's (MnDOT) request, the structures will be placed at least 65 feet from the centerline of the highway and as far back as practicable within the right-of-way, allowing MnDOT to maintain roadway safety standards and Applicant to meet National Electric Safety Codes.¹⁷

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* at 11.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 12.

¹⁶ Environmental Assessment at 8 (May 29, 2020) (eDocket No. 20206-163636-01) (hereinafter "EA").

¹⁷ *Id.*

8. The Project is designed to improve reliability and reduce system deficiencies within Applicant's service territory.¹⁸ Construction is expected to begin in the fourth quarter of 2020 and cost approximately \$3.5 million.¹⁹

9. Based on projected load and system deficiencies, Applicant selected the proposed 2.2-mile route because it minimizes impacts to landowners and agriculture by utilizing existing right-of-way and is the most direct route between the tie-in with the GRE line and the proposed substation location.²⁰

10. No additional routes were proposed or introduced during scoping.²¹

11. No public comments were received during scoping.²²

12. MnDOT filed a comment during the scoping period indicating its interest in any impacts the new transmission line may have on the safety of the state transportation system, the effectiveness of the operations or maintenance of the state trunk highway system, and any additional costs that may be imposed on the state trunk highway fund as a result of the proposed transmission line.²³

13. The Minnesota Department of Natural Resources (DNR) filed a comment during the scoping period requesting the use of flight diverters for the length of the transmission line; minimizing soil compaction during construction by using the road right-of-way; noting that licenses and permits to cross public waterways and wetlands would be required; and that measures to avoid or minimize disturbances to rare features might be included as restrictions or conditions in any permits or licenses required by the DNR.²⁴

II. Public Hearing Comments

14. At the public hearing, Scott Schroeder, a watershed project manager with the Minnesota Pollution Control Agency, inquired regarding potential impacts to water quality on and near Lake Lind.²⁵ Schroeder asked if those impacts could potentially be reduced by moving specific transmission-line poles or eliminated by crossing the route from east to west on the south side of Lake Lind instead of on the north side.²⁶

¹⁸ Application at 9.

¹⁹ EA at 8.

²⁰ Application at 11.

²¹ See Scoping Decision at 9 (Feb. 26, 2020) (eDocket No. 20202-160758-01).

²² See *id.* at 4.

²³ Comment by MnDOT (Dec. 20, 2019) (eDocket No. 201912-158513-01).

²⁴ Comment by MN DNR (Dec. 26, 2019) (eDocket No. 201912-158602-01).

²⁵ Tr. at 17-18.

²⁶ *Id.* at 18.

15. Haselhoff noted that Applicant would require the contractors to install erosion control measures to prevent soil erosion into the lake.²⁷

III. Post-Hearing Written Comments

16. There were no post-hearing written comments from the public.

Dated: September 1, 2020



JIM MORTENSON
Administrative Law Judge

²⁷ *Id.* at 19.

September 1, 2020

See Attached Service List

Re: *In the Matter of the Application of Detroit Lakes Public Utilities for a High-Voltage Transmission Line Route Permit in Becker County*
OAH 5-2500-36529
MPUC Docket No. E-229/TL-18-755

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **SUMMARY OF PUBLIC COMMENTS** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7881, Anne.Laska@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



ANNE LASKA
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Detroit Lakes Public Utilities for a High-Voltage Transmission Line Route Permit in Becker County	OAH Docket No.: 5-2500-36529 MPUC Docket No. E-229/TL-18-755
---	---

Anne Laska certifies that on September 1, 2020, she served the true and correct **SUMMARY OF PUBLIC COMMENTS** by eService, and U.S. Mail, (in the manner indicated below) to the following individuals:

First Name		Email	Company Name	Delivery Method
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service
Dennis	Haselhoff	dennis.haselhoff@dgr.com	DGR Engineering	Electronic Service
STACY	KOTCH EGSTAD	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	Electronic Service
Michael	Kaluzniak	mike.kaluzniak@state.mn.us	Public Utilities Commission	Electronic Service
Jamie	MacAlister	jamie.macalister@state.mn.us	Department of Commerce	Electronic Service
James	Mortenson	james.mortenson@state.mn.us	Office of Administrative Hearings	Electronic Service
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service
Vernell	Roberts	vroberts@cityofdetroitlakes.com	Detroit Lakes Public Utilities	Electronic Service
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	Electronic Service
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	Electronic Service
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	Electronic Service