

# NEW/REVISED DECISION OPTIONS

## Proposed by Commissioner Tuma

July 10, 2025

DOCKET NUMBER

IP-7119/GS-23-477

**Tuma New 5.L:** Modify the site permit setback requirements where the project borders the Northern States Power Co. d/b/a Xcel Energy Minnesota Energy Connection Project transmission alignment permitted by the Commission in Docket No. E-002/TL-22-132 to assume the placement of the transmission line on the property line and south of the existing 69kV transmission line. Further modify the site permit to prohibit Birch Coulee from adjusting the setback in a way that would require Xcel to move its transmission line off this alignment further onto neighboring properties unless Birch Coulee obtains prior consent from all affected landowners.

*Or*

**Tuma Modified 2:** Find that the Environmental Assessment (EA) and the record created at the public hearing address the issues identified in the Scoping Decision *except as the EA relates to the cumulative impacts of the project and Minnesota Energy Connection (MEC) project at section 4.12, pages 138-143 of the EA. Request that staff, within 30 days of the order, file a supplement addressing the proposed relocation of the alignment of the MEC project 75 feet to the west of the north-south placement shown as the blue line on Figure 36 of the EA. The EA shall be supplemented to discuss the following impacts:*

1. Socioeconomics,
2. Property values,
3. Land based economies, and
4. Specifically, agricultural practices on neighboring prime farm land.

The supplement shall provide an analysis of the routing considerations in Minnesota Statutes and Rules. The supplement should also analyze whether the Renville County setbacks are clear enough to identify the requirements along agricultural fields and whether the setbacks could potentially interfere with operations on neighboring fields of large agricultural equipment, and propose clarifying permit language as appropriate. The Executive Secretary will set a notice and comment process and schedule upon completion of the EA supplement.

**Tuma New 5.M:** Modify section 8.15 of the draft site permit as follows:

Order the Permittee to file updates, annually from the date of permit issuance, on the status of a power purchase agreement or other enforceable mechanism for the sale of the electricity generated by the Project. In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for the sale of the electricity generated by the Project at the time this site permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power. This site permit does not authorize construction of the Project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project. In the event the Permittee does not obtain a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project within ~~two~~ four years of the issuance of this site permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this site permit should be amended or revoked. No amendment or

revocation of this site permit may be undertaken except in accordance with Minn. R. 7850.5100.