

From: [Michelle Thelen](#)
To: [Kahlert, Kate \(PUC\)](#)
Subject: PUC Certificate of Need revision comments
Date: Monday, November 15, 2021 4:53:22 PM

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Re: COMMENTS ON Proposed Amendment to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High-Voltage Transmission Lines, Minnesota Rules Chapters 7849 and 7850 and Governing Notice Plan Filing Requirements, Minnesota Rules, part 7829.2550; Request to Schedule a Rules Hearing; and Request to Review Additional Notice Plan; Including Repeal of Minn. R. 7829.2550; 7849.0230; 7849.0240; 7849.1100; 7849.1300; 7850.1600; 7850.2000; 7850.2600; 7850.2900; 7850.3000; 7850.3100; 7850.3200; 7850.3300; 7850.3400; 7850.3500; 7850.3600; 7850.4000; 7850.4200

Hello staff of the Public Utilities Commission,

I am writing to request a hearing in the rulemaking you are conducting on Certificates of Need, Powerplant Siting, and Route Permits for High-Voltage Transmission Lines. I oppose the proposed amendments in their entirety.

Given that we are in the grips of a global climate crisis it is entirely inappropriate for the Commission to update its rules without including any mechanisms for incorporating climate change mitigation or adaptation into its decision-making processes. The fact that these rules do nothing to protect Indigenous rights and environmental justice communities is further proof that the Commission's entire rulemaking process has been industry-captured and does not serve the public interest. Without a true stakeholder process that centers the perspectives of Tribal Nations, environmental justice communities, low-income communities, health professionals, scientists, and young people fighting for their futures, this rulemaking proposes to cement utility control over the process and cut out any meaningful public participation. The Commission must not finalize these rules as proposed.

I am especially concerned with the public health implications of the Commission, potentially making decades of major decisions under these entirely inappropriate standards. Without any consideration of how these projects harm the most vulnerable, how they further harm Minnesota's weakened environment, or even how large energy infrastructure will be decommissioned when it is abandoned by utilities, the Commission has apparently abdicated any role in protecting the public from harmful externalities. As the entire energy system transitions away from polluting sources of energy we need to have the tools necessary to protect public health and taxpayers from the inevitable collapse of these polluting industries and the toxic legacy they will leave to people who are least able to protect themselves.

The Commission's duty is to protect Minnesotans and ratepayers from foreseeable risk, and these rules do nothing to protect us from the harms that menace us the most. Allowing project proposers to set the timeline for their own permit approvals behind closed doors with the agency is clearly an abdication of authority and an even worse violation of the public trust than the Legislative Auditor outlined last year. Why the Commission would further entrench industry power at the cost of the public and think that this was a good policy direction is beyond me.

For these reasons and more that will be stated at the hearing I oppose these rules in their entirety and request a public hearing before an Administrative Law Judge. The Commission should scrap these rules and start again, but this time protecting Minnesotans and our climate.

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