MINNESOTA
PUBLIC UTILITIES COMMISSION

Staff Briefing Papers

Meeting Date	October 22, 2020		Agenda Item 1*
Company	Detroit Lakes Public Utilities		
Docket No.	**E-229/TL-18-755**		
	In the Matter of the Application of Detroit Lakes Public Utility for a High-Voltage Transmission Line Route Permit in Becker County		
Issues	1. Should the Commission find that the Environmental Assessment and the record created at the public hearing adequately address the issues identified in the scoping decision? 2. Should the Commission issue a route permit identifying a specific route and permit conditions for the Detroit Lakes Public Utility 115 kV High Voltage Transmission Line Project in Lake View Township, Becker County?		
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✓ **Relevant Documents**	**Date**
Route Permit Application (7 parts)	July 9, 2019
Order Accepting Application as Complete	October 28, 2019
Revised Permit Application (8 parts)	November 6, 2019
EERA Scoping Decision	February 27, 2020
EERA Environmental Assessment (5 parts)	June 1, 2020
Notice of Public Hearing and Comment Period	June 10, 2020

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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.

✓ **Relevant Documents**	**Date**
EERA Hearing Exhibit List	July 14, 2020
EERA Proposed Findings of Fact	August 13, 2020
OAH Summary of Public Comments	September 1, 2020

Attachments

Proposed Findings of Fact

Proposed High-Voltage Transmission Line Route Permit

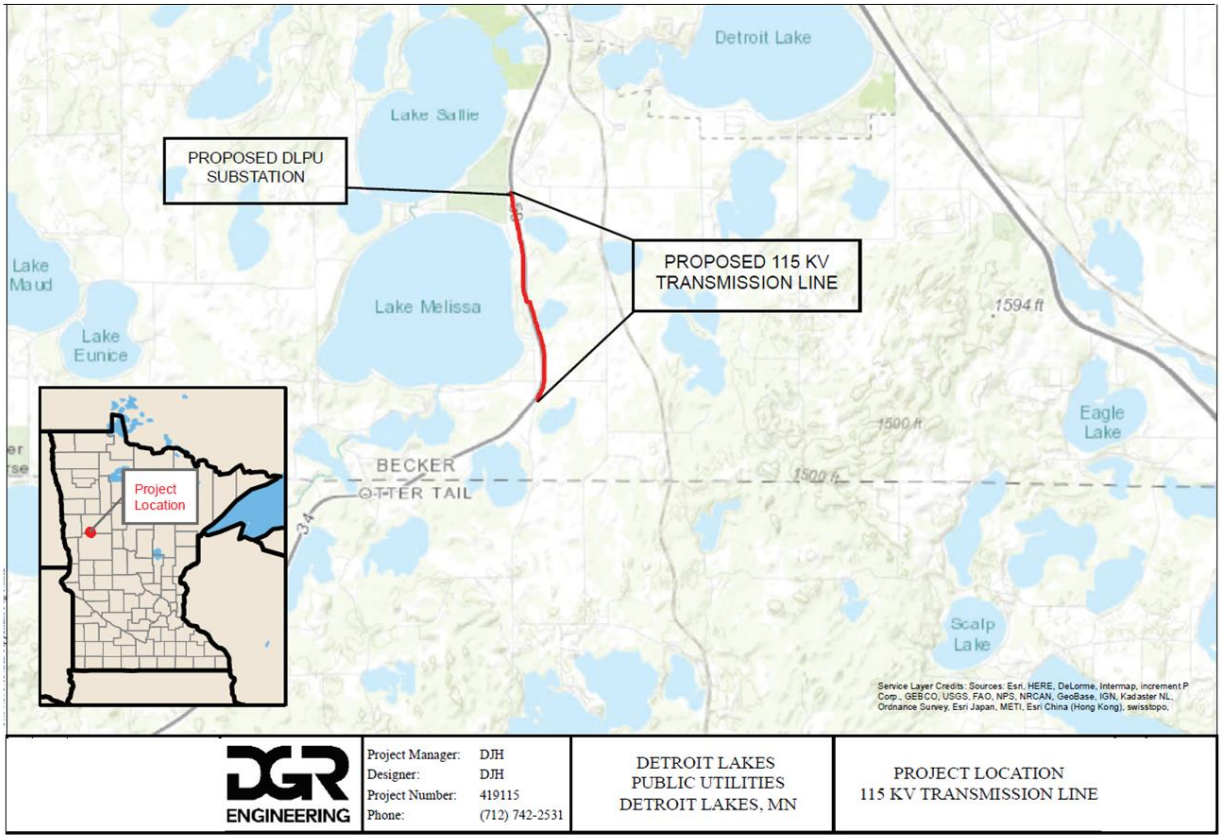
I. Statement of the Issues

Should the Commission find that the Environmental Assessment and the record created at the public hearing adequately address the issues identified in the scoping decision?

Should the Commission issue a route permit identifying a specific route and permit conditions for the Detroit Lakes Public Utility 115 kV High Voltage Transmission Line Project in Lake View Township, Becker County?

II. Project Description

Detroit Lakes Public Utilities (DLPU) proposes to construct and operate approximately 2.2 miles of overhead 115 kilovolt (kV) high-voltage transmission line (HVTL) a substation and associated facilities south of Detroit Lakes in Becker County to address increasing loads and reliability concerns within its system. The northern terminus of the HVTL is the proposed substation near the intersection of US Highway 59 and CSAH 22. The southern terminus will tie-in to an existing 115 kV HVTL owned by Great River Energy located in Section 33, T138N, R41W of Lake View Township near US Highway 59 and County Road 17.



The new transmission line would be placed within the existing right-of-way (ROW) along US Highway 59 owned by the Minnesota Department of Transportation (MnDOT). DLPU is requesting a 200-foot route width for most of the route based on the centerline of US Highway 59. The final right-of-way varies between 15 and 49 feet wide.[1] Construction of the project is anticipated to begin in the fourth quarter of 2020.

III. Statues and Rules

A. Route Permit

Minn. Stat. § 216E.03, subd. 2, provides that no high-voltage transmission line shall be sited or constructed in Minnesota without the issuance of a route permit by the Commission. Under Minn. Stat. § 216E.01, subd. 4, a high-voltage transmission line is defined as a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts or more and that is greater than 1,500 feet in length. The project is a new 0.8-mile 115 kV single-circuit transmission line and, therefore, requires a route permit from the Commission.

The project qualifies for alternative review because it is a high-voltage transmission line between 100 and 200 kV.[2] Under the alternative permitting process: (1) the applicant is not required to propose alternative routes in its application, but must identify other routes it examined and discuss the reasons for rejecting those routes; (2) an environmental assessment is prepared instead of an environmental impact statement; (3) a public hearing is conducted, but a contested case hearing is not required.

The project is subject to Minn. Stat. Chapter 216E which requires that high-voltage transmission lines to be routed in a manner consistent with the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security and reliability through efficient, cost-effective power supply and electric transmission infrastructure. The statute also affords the Commission the authority to specify the design, route, right-of-way preparation, facility construction, and any other appropriate conditions it deems necessary when issuing a

[1] The current layout shows the switch structure near the southern terminus installed 10 feet from the right-of-way line on private property. DLPU will need a 30-foot private easement from the landowner to provide for overhand of the HVTL. *Revised Permit Application,* at page 11 and Figure 2 of Appendix A.

[2] Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900.

permit for a high-voltage transmission line. The operative rules for the review of high-voltage transmission line route permit applications are found in Minnesota Rules Chapter 7850.

B. Environmental Assessment

Minn. Stat. § 216E.04, subd. 5, requires the commissioner of the Department of Commerce to prepare an environmental assessment on proposed high-voltage transmission being reviewed under the alternative permitting process. The environmental assessment must contain information on the potential human and environmental impacts of a proposed project and of alternative sites or routes considered and must address mitigation measures for identified impacts.

C. Certificate of Need

Minn. Stat. § 216B.243, subd. 2, provides that no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the Commission. The proposed high-voltage transmission line is not defined as a large energy facility under Minn. Stat. § 216B.2421, subd. 2 (3), because it is less than 10 miles in length and does not cross a state border, therefore, a certificate of need is not required.

IV. Procedural History

A. Application Acceptance

On July 9, 2019, DLPU filed a route permit under the alternative permitting process for its DLPU HVTL Project in Lake View Township of Becker County.

On October 28, 2019, the Commission issued an order accepting the route permit application as substantially complete pending additional information and referred the matter to the Office of Administrative Hearings for a public hearing and preparation of a summary report of public comments. The order noted that Department of Commerce Energy Environmental Review and Analysis (EERA) staff identified the existence of new right-of-way information and agreed to work with the applicant to file updated information prior to any public meetings. The Commission required instead that a revised permit application be filed to incorporate the supplemental information.

On November 6, 2019, DLPU filed a Revised Route Permit Application to address the Commission's October 28th Order.

B. Public Information Meeting and Environmental Assessment

On December 4, 2019, EERA and Commission staff held a public information and environmental assessment scoping meeting in the City of Detroit Lakes.[3] Comments on for consideration in the scoping decision were accepted through December 27, 2019. Comments were received from the Minnesota Department of Transportation (MnDOT) and the Minnesota Department or Natural Resources (DNR) during the comment period. No public comments were received. No requests for alternative routes, alternative route segments, or alignment modifications were received during the scoping comment period.

MnDOT provided comments on pole placement within the right-of-way and the Applicant's need for a Utility Accommodation on Trunk Highway Right of Way Permit for the project to utilize the right-of-way. MnDOT requested that the applicant continue to coordinate with them on any construction work that may impact MnDOT right of way, road closings, oversight/overweight hauling or roadway safety.

The Minnesota Department of Natural resources provided comments 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; and noting that licenses to cross public waterways and wetlands will be required, with the potential for additional measures to avoid or minimize disturbances to rare features in any permits or licenses required by the DNR.

On February 27, 2020, EERA issued the Environmental Assessment Scoping Decision.

On June 1, 2020, EERA issued the Environmental Assessment.

C. Public Hearing and Comment Period

On June 10, 2020, the Commission issued a Notice of Public Hearing and Comment Period.

On June 30, 2020, Administrative Law Judge (ALJ) Palmer-Denig of the Office of Administrative Hearing (filling in for ALJ James Mortenson) s presided over the public hearing. Due to the COVID-19 pandemic, and pursuant to the Governor's executive orders, the meeting was conducted using remote access technology.

The hearing procedures included brief presentations to describe the permitting process and the proposed project by Commission and EERA staff and the applicant; the introduction of

[3] *Notice of Public Information and Environmental Scoping Meeting*, e-Dockets No. **201911-157520-01**, November 13, 2019.

documents to be included in the record; and an opportunity for members of the public to provide comments and ask questions of the applicant and staff. A court reporter was present to transcribe the public hearing. One comment was received from a representative of the Minnesota Pollution Control Agency regarding potential water quality impacts to Lake Lind. No members of the public spoke at the public hearing. Following the public hearing, a written comment period was open through July 14, 2020. No additional comments were received during the comment period.

On August 13, 2020, EERA filed Proposed Findings of Fact and Conclusions of Law (Findings). EERA recommended the Commission find that the applicant has satisfied the criteria set for in Minnesota law for a route permit. EERA concluded the record and proceeding satisfied the operative procedural requirements for providing notice of the application, an environmental review adequately addressing the issues and alternatives identified in its scoping decision and holding of a public hearing. EERA recommended the Commission find the evidence on the record demonstrates that the conditions identified in the general route permit, along with conditions requested by MnDOT and DNR, are appropriate for the project.

On September 1, 2020, ALJ Mortenson filed a report with the Commission summarizing the public hearing process.

V. Staff Analysis

In response to items raised by MnDOT and DNR, staff has included Special Conditions 6.1 through 6.3 to ensure that their concerns will be considered during the final project review. The MPCA's alternative was not identified during the scoping period but was informally reviewed by EERA and Commission staff and believe the permit conditions of the proposed permit adequately address potential water quality impacts.

Based on the information in DLPU's Revised Route Permit Application, the analysis provided in the Environmental Assessment, the ALJ Summary Report, and other evidence in the record, staff recommends that the Commission: 1) find that the Environmental Assessment addresses the issues and alternatives identified in the scoping decision and during the public hearing; 2) approve the attached proposed Findings of Fact and Conclusions of Law; and 3) issue the attached Route Permit for the DLPU HVTL Project.

Staff notes that Decision Option D.1 below provides for limited modifications of the Findings to correct typographic errors, ensure consistency with the record, and provide for agreement with the Order reflecting the Commission's actions.

VI. Decision Options

A. Environmental Assessment

1. Find that the Environmental Assessment and the record created at the public hearing address the issues identified in the Scoping Decision.

2. Find that the Environmental Assessment is not complete, identify the reason(s) it is not complete and request that the Environmental Assessment be revised or supplemented, and determine a schedule for its completion.

3. Take some other action

B. Findings of Fact and Conclusions of Law

1. Adopt the attached Findings of Fact and Conclusions of Law for the DLPU 115 kV Transmission Line Project.

2. Amend the attached Findings of Fact and Conclusions of Law as deemed appropriate.

3. Take some other action.

C. Route Permit

1. Issue a high-voltage transmission line route permit for the DLPU 115 kV Transmission Line Project evaluated in the Environmental Assessment.

2. Amend the Route Permit as deemed appropriate.

3. Deny a route permit for the DLPU 115 kV Transmission Line Project.

4. Take some other action.

D. Administrative

1. Authorize Commission staff to make further refinements to the Findings of Fact and permit conditions as necessary to correct typographic and formatting errors, and to improve consistency with the record, the language of recently issued permits and the Commission's decision on this matter.

Staff Recommendation: A1, B1, C1, and D1

ATTACHMENT 1

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 ROUTE PERMIT FOR A 115KV HIGH VOLTAGE TRANSMISSION LINE PROJECT IN BECKER COUNTY	PUC Docket No. E229/TL-18-755 OAH Docket No. 5-2500-36529PROPOSED PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

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STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF DETROIT LAKES PUBLIC UTILITY FOR A ROUTE PERMIT FOR A 115 KV TRANSMISSION AND SUBSTATION PROJECT IN BECKER COUNTY.	PUC DOCKET NO. E229/TL-18-755 OAH DOCKET NO. 5-2500-36529 PROPOSED FINDINGS OF FACT

A remote- access public hearing was held before Administrative Law Judge ("ALJ") Palmer-Denig, (filling in for James Mortenson) on June 30, 2019.

Vernell Roberts, General Manager for Detroit Lakes Public Utility (DLPU), 1025 Roosevelt Avenue, Detroit Lakes, MN 56501 appeared on behalf of Detroit Lakes Public Utility ("Applicant").

Dennis Hasselhoff, DRG Engineering, appeared on behalf of the applicant.

Jamie MacAlister, Environmental Review Manager, 85 7th Place East, Suite 280, St. Paul, MN 55101 appeared on behalf of the Department of Commerce, Energy Environmental Review and Analysis ("EERA").

Michael Kaluzniak, Minnesota Public Utilities Commission ("Commission") Staff, 121 Seventh Place East, Suite 350, St. Paul, MN 55101 appeared on behalf of the Commission.

STATEMENT OF ISSUE

Have Applicants satisfied the factors set forth in Minnesota Statutes Section 216E.03 and Minnesota Rules Chapter 7850 for a Route Permit for a 115 kilovolt ("kV") transmission and substation project near Detroit Lakes in Becker County (the "Project")?

SUMMARY

The Commission concludes that the Applicants have satisfied the criteria set forth in Minnesota law for a Route Permit and the Commission GRANTS the Applicants a Route Permit.

Based on information in the Application, the Environmental Assessment ("EA"), the testimony at the public hearing, and written comments, the Commission makes the following:

FINDINGS OF FACT

I. APPLICANTS

1. Detroit Lakes Public Utilities (DLPU), of Detroit Lakes, Minnesota owns and operates a municipal electric system that provides electric service to the citizens of Detroit Lakes and surrounding areas. [1]

II. PROCEDURAL HISTORY

2. On December 6, 2018 Detroit Lakes Public Utility filed with the Minnesota Public Utilities Commission ("Commission") a Notice of Intent to File a Route Permit Application under the Alternative Permitting Process.[2]

3. On July 9, 2019 Detroit Lakes Public Utility submitted an Application for a Route Permit ("Application") for the Project.[3]

4. On July 10, 2019 the Commission issued a Notice of Comment Period on Application Completeness.[4]

5. On July 24, 2019 EERA staff filed comments and recommendations regarding the completeness of the Application and recommended that the Applicant provide additional information on the proposed right-of-way and coordination efforts with the Minnesota Department of Transportation (MnDOT).[5]

6. On August 23, 2019 the Commission issued a Notice of Meeting on Application Completeness for September 5, 2019.[6]

7. On August 20, 2019 the Applicant filed Applicants filed affidavits of mailing and affidavits of publication for the Notice of Application, as required under Minnesota Statutes Sections 216E.03, Subdivision 4 and 216E.04, Subdivision 4; and Minnesota Rule 7850.2100, Subparts2 and 4.[7]

8. On August 28, 2019 Commission staff filed Briefing Papers recommending the Commission find the Application complete.[8]

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[1] Detroit Lakes Public Utility (November 6, 2019) *Application for a Route Permit for a 115 kV High Voltage Transmission Line (Revised)*, eDockets Nos. 201911-157283-02, 201911-157283-03, 201911-157283-04, 201911-157283-05, 201911-157283-06, 201911-157283-07, 201911-157283-08 (hereinafter "Application").

[2] DLPU *Notice of Intent to File an Application for a Route Permit*, eDockets 201812-148292-01.

[3] Detroit Lakes Public Utility Commission (July 9, 2019) *Application for a Route Permit for a 115 kV High Voltage Transmission Line*, eDockets No(s). 20197-154248-01, 20197-154248-02, 20197-154248-03, 20197-154248-04, 20197-154248-05, 20197-154248-06, 20197-154248-07.

[4] PUC, Notice of Comment Period for Application Completeness, eDockets 20197-154270-01.

[5] EERA *Comments and Recommendations on Application Completeness*, eDockets 20197-154649-01.

[6] PUC *Notice of Comment Period on Application Completeness and Meeting*, eDockets 20198-155404-02.

[7] Affidavit of Mailing Publication of Notice, eDockets 20198-155306-01.

[8] PUC *Staff Briefing Papers on Completeness*, eDockets 20198-155517-01.

9. On September 4, 2019 the Applicant filed supplemental information to the application.[9]

10. On September 5, 2019 the Commission met and found the Application complete pending additional information regarding the route width, the alignment within the route, and coordination efforts with MnDOT.[10]

11. On October 28, 2019 the Commission issued its Order Accepting the Application as Complete pending additional information. In addition to finding the application complete, the Commission also approved a summary report review process.[11]

12. On November 6, 2019 the Applicant filed a revised application.[12]

13. On November 13, 2019 EERA staff filed a letter confirming that the revised application met the completeness requirements identified in the Commission's October 28, 2019 Order on application completeness. [13]

14. On November 13, 2019 the Commission and EERA issued a Notice of Public Information and EA Scoping Meeting.[14] This notice was also published in the *Detroit Lakes Tribune* on November 13, 2019 as required under Minnesota Statutes216E.04, Subdivision 5; and Minnesota Rule 7850.2300, Subpart 2.[15]

15. On November 26, 2019 Applicants filed the newspaper affidavits of publication for the December 4, 2019 Information and EA Scoping Meeting.[16]

16. On December 4, 2019 the Commission and EERA held a Public Information and EA Scoping Meeting at the City of Detroit Lakes, Detroit Lakes, Minnesota at 6:00 p.m.[17]

17. On December 27, 2019 the scoping comment period ended.[18]

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[9] Applicant, supplemental information, eDockets 20199-155665-01.
[10] PUC *Notice of Comment Period on Application Completeness and Meeting*, eDockets 20198-155404-02.
[11] Commission *Order Accepting Application as Complete PendingAdditional Information and Directing Use of Summary Report Review Process* eDockets 201910-156919-01.
[12] Detroit Lakes Public Utility *Application for a Route Permit for a 115 kV High Voltage Transmission Line (Revised)*, eDockets Nos. 201911-157283-02, 201911-157283-03, 201911-157283-04, 201911-157283-05, 201911-157283-06, 201911-157283-07, 201911-157283-08.
[13] EERA, *Letter of Confirmation*, edockets 201911-157504-01.
[14] EERA and PUC *Notice of Public Information and Environmental Assessment Scoping Meeting*, eDockets 201911-157520-01.
[15] Affidavit of Publication (Scoping Notice), edockets 201911-157884-01.
[16] Id.
[17] EERA and PUC *Notice of Public Information and Environmental Assessment Scoping Meeting*, eDockets 201911-157520-01.
[18] Id.

18. The Minnesota Department of Transportation ("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.[19]

19. The Minnesota Department of Natural resources filed comments 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; and noting that licenses to cross public waterways and wetlands will be required and that measures to avoid or minimize disturbances to rare features may be included as restrictions or conditions in any permits or licenses required by the DNR. [20]

20. On January 10, 2020 EERA issued a Scoping Summary Report.[21]

21. On January 27, 2020 Commission staff issued Briefing Papers regarding route alternatives to be evaluated in the environmental assessment.[22] No additional routes were recommended.

22. On February 27, 2020 EERA issued a Scoping Decision for preparation of the EA.[23]

23. On June 1, 2020 EERA filed the EA and issued a Notice of Availability for the EA.[24] The Notice of Availability was published in the *EQB Monitor* on June 20, 2020.[25]

24. On June 10, 2020 Commission staff issued a Notice for Public Hearing and Comment Period.[26] On June 30, 2020 the Office of Administrative Hearings held a remote Public Hearing via Webex at 6:00 pm.[27] On July 14, 2020 the public hearing comment closed.[28]

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[19] Minnesota Department of Transportation *Comments*, eDockets No. 201912-158513-01.

[20] Minnesota Department of Natural Resources *Comments*, eDockets No. 201912-158602-01, 201912-158602-02, 201912-158602-03.

[21] EERA *Scoping Summary Report*, eDockets 20201-159030-01

[22] Commission *Staff Briefing Papers*, 20201-159613-01.

[23] EERA *Scoping Decision*, eDockets 20202-160758-01.

[24] EERA *Environmental Analysis of the Potential Human and Environmental Impacts of the Detroit Lakes Public Utility 115kV Transmission Line and Substation,* eDockets No. 20206-163636-01, 20206-163636-02, 20206-163636-03, 20206-163636-04, 20206-163636-05.

[25] EERA *Notice of EA Availability* in *EQB Monitor,* eDockets No. 20207-164911-01.

[26] PUC *Notice of Public Hearing and Comment Period*, eDockets No. 20206-163871-02.

[27] Id.

[28] Id.

III. DESCRIPTION OF THE PROJECT

25. The Project includes new 115 kV transmission lines and substation south of the City of Detroit Lakes in Becker County, Minnesota. The project utilizes existing road-right-of way along US 59, owned by the Minnesota Department of Transportation. [29]

26. DLPU will construct approximately 2.2 miles of north-south transmission line. The new transmission line will tie into the existing 115 kV transmission line owned and operated by Great River Energy located in Section 33, T138N, R41W. 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 US 59 to the new substation.[30]

27. 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). GRE is responsible for the design of this structure. GRE has requested to DLPU that the switch structure be installed outside of the ROW. The current plan is to have the switch structure installed ten (10) feet from the ROW line on private property. DLPU will need to acquire a private easement from the landowner for overhang of the proposed HVTL. Great River Energy will construct the tie-in at the southern terminus.[31]

28. 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. The estimated dimensions for the new South substation, subject to final design, are 140 feet by 160 feet.[32]

29. Applicants propose to use single pole structures between 70 and 80 feet in height with spans ranging from 275-310 feet depending on conductor configuration.[33]

30. Applicants are generally requesting approval of a variable route width from 100-160 feet from the centerline of US 59.[34] At MnDOT's request, the structures will be placed at least 65 feet from the centerline of the highway and as far back as practicable within the ROW, allowing MNDOT to maintain roadway safety standards and DLPU to meet National Electric Safety Codes.[35]

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[29] Application at 1.

[30] Id.

[31] Application at 11.

[32] Application at 11.

[33] Application at 12.

[34] EA at 8.

[35] Id.

IV. NEED OVERVIEW

31. The Project is designed to improve reliability and reduce system deficiencies within DLPUs service territory.[36]

V. ROUTES EVALUATED

A. Route Proposed by Applicants.

32. Based on projected load and system deficiencies, Detroit Lakes Public Utility selected the proposed 2.2 mile route because it minimizes impacts to landowners and agriculture by utilizing MnDOT's ROW and is the most direct route between the tie-in with the GRE line and the proposed substation location.[37] A map of the proposed route is included in Exhibit A.

B. Routes Proposed Through Public Participation.

33. No additional routes were proposed or introduced during scoping, as reflected in the EA Scoping Decision.[38]

VI. TRANSMISSION LINE STRUCTURE TYPES AND SPANS

34. The Applicant proposes to use three types of self-weathering steel monopoles capable of carrying a single-circuit 115 kV HVTL. Structures will be direct-embedded to a depth of nine to 14 feet.[39] Three types of structures will be utilized depending on pole location within the ROW.

35. The majority of the structures will have a stacked configuration, with all of the insulators on one side of the pole. This configuration will be used where the structures are close to the edge of MNDOT's ROW. The structures will be oriented so that the conductors are on the road side of the pole.[40]

36. Where the right of way is wider, the structures will have a staggered configuration. Where large angles are anticipated within the alignment, such as where the line crosses the road and near the tie-in location, concrete foundations will be used.[41]

[36] Application at 9.

[37] Application at 11.

[38] Scoping Decision at 9.

[39] Application at 12.

[40] Id.

[41] Id.

VII. TRANSMISSION LINE CONDUCTORS

37. The 115 kV HVTL will consist of a single self-weathering steel pole with horizontal line post and braced line post insulators with a single shield wire. The selected conductor size for this project is 336 kcmil ACSR 'Linnet'.[42]

38. The engineering evidence in the record demonstrates that the conductor is appropriate to meet the Project's need.[43]

VIII. TRANSMISSION LINE ROUTE WIDTHS

39. The Applicant is requesting a variable route width to meet MNDOT's right-of way-requirements. The width of MnDOT's right-of way- along US Hwy 59 varies; at the narrowest location the ROW is 100 feet from centerline and 160 feet at the widest. DLPU has consulted with MNDOT on placement of the proposed HVTL within the ROW. MNDOT and DLPU have agreed on an alignment for the proposed HVTL and will continue to work on the placement of the structures during the MNDOT permitting application process.[44]

40. The Applicant has requested a 30 foot easement from the landowner at the southern terminus to accommodate the switching station.[45]

IX. TRANSMISSION LINE RIGHT-OF-WAY

41. Applicant requests a variable right-of-way width ranging from 15 to 49 feet.[46]

X. PROJECT SCHEDULE

42. Construction is anticipated to begin in the fourth quarter of 2020.[47]

43. Applicants anticipate an in-service date in the fourth quarter of 2021.[48]

XI. PROJECT COSTS

44. Total project costs are estimated at approximately $3.5 million.[49]

45. The substation is estimated to cost $2.2 million.[50]

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[42] Application at 13.

[43] Id.

[44] Application at 11.

[45] Id.

[46] Application at Appendix A, Map 2, Sheets 4 and 8.

[47] Application at 9.

[48] Id.

[49] Id.

[50] Id.

46. Construction of the transmission line is estimated to cost $1.3 million. [51]

XII. PERMITTEE

47. The permittee for the Project is Detroit Lakes Public Utility.[52]

XIII. PUBLIC AND LOCAL GOVERNMENT PARTICIPATION

A. Public Comments

48. No comments were received from the public during scoping. [53]

B. Local Government and State Agency Participation

49. During the EA scoping comment period, EERA received written comments from two state agencies; MnDOT and MDNR.[54]

50. MnDOT provided comments on pole location within the ROW and the need for a *Utility Accommodation on Trunk Highway Right of Way Permit for the project to utilize the ROW*. MnDOT requests that the applicant continue to coordinate with them on any construction work that may impact MnDOT right of way, road closings, or roadway safety.[55]

51. The Minnesota Department of Natural resources provided comments 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; and noting that licenses to cross public waterways and wetlands will be required, with the potential for additional measures to avoid or minimize disturbances to rare features in any permits or licenses required by the DNR. [56]

FACTORS FOR A ROUTE PERMIT

52. The Power Plant Siting Act ("PPSA"), Minnesota Statutes Chapter 216E, requires that route permit determinations "be guided by the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure." [57]

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[51] Id.

[52] Application at 7.

[53] Scoping Decision at 4.

[54] Id.

[55] Minnesota Department of Transportation *Comments*, eDockets No. 201912-158513-01.

[56] Minnesota Department of Natural Resources *Comments*, eDockets No. 201912-158602-01, 201912-158602-02, 201912-158602-03.

[57] Minn. Stat. § 216E.03, Subd. 7.

53. Under the PPSA, the Commission must be guided by the following responsibilities, procedures, and considerations:

> (1) evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and high-voltage transmission lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;
>
> (2) environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;
>
> (3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;
>
> (4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;[58]
>
> (5) analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;
>
> (6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;
>
> (7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivision 1 and 2;
>
> (8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;
>
> (9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;
>
> (10) evaluation of future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures

[58] Factor 4 is not applicable because Applicants are not proposing to site a large electric generating plant.

capable of expansion in transmission capacity through multiple circuiting or design modifications;

(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and

(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.[59]

54. In addition, Minnesota Statutes Section 216E.03, Subdivision 7(e), provides that the Commission "must make specific findings that it has considered locating a route for a high-voltage transmission line on an existing high-voltage transmission route and the use of parallel existing highway right-of-way and, to the extent those are not used for the route, the [C]ommission must state the reasons."

55. In addition to the PPSA, the Commission and the ALJ are governed by Minnesota Rule 7850.4100, which mandates consideration of the following factors when determining whether to issue a route permit for a high voltage transmission line:

A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;

B. effects on public health and safety;

C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;

D. effects on archaeological and historic resources;

E. effects on the natural environment, including effects on air and water quality resources and flora and fauna;

F. effects on rare and unique natural resources;

G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;

H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;

I. use of existing large electric power generating plant sites;[60]

[59] Minn. Stat. § 216E.04, Subd. 7(b)(12).

[60] This factor is not applicable because it applies only to power plant siting.

J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;

K. electrical system reliability;

L. costs of constructing, operating, and maintaining the facility which are dependent on design and route;

M. adverse human and natural environmental effects which cannot be avoided; and

N. irreversible and irretrievable commitments of resources.[61]

56. There is sufficient evidence on the record for the Commission to assess the Proposed Route and route alternatives using the criteria and factors set forth above.

APPLICATION OF STATUTORY AND RULE FACTORS

I. APPLICATION OF ROUTING FACTORS TO THE PROPOSED ROUTE AND ROUTE ALTERNATIVES

A. Effects on Human Settlement

57. Minnesota law requires consideration of the Project's effects on human settlement, including displacement of residences and businesses, noise created during construction and by operation of the Project, and impacts to aesthetics, cultural values, recreation, and public services.[62]

58. The proposed Project is located along US Highway 59 in Becker County Minnesota, just south of the city of Detroit Lakes. US 59 is a major transportation corridor in the county. The nearest population center is Detroit Lakes. In the surrounding area, human settlement is a mix of year round and seasonal homes along lakeshores and local roads, with most businesses located along major roadways and towns.[63]

1. Displacement

59. There are no residences within 50 feet of the route. There is one commercial building within 50 feet of the route.[64]

[61] Minn. R. 7850.4100.

[62] Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. A.

[63] EA at 25.

[64] EA at 26.

60. No residential or commercial displacement will occur as a result of the Project.[65]

2. Noise

61. The Minnesota Pollution Control Agency ("MPCA") has established standards for the regulation of noise levels.[66]

62. The most restrictive MPCA noise limits are 60-65 A-weighted decibels ("dBA") during the daytime and 50-55 dBA during the nighttime.[67]

63. Noise concerns for the Project may be associated with construction and operation of the transmission lines and substations.[68]

64. Transmission lines produce noise under certain conditions. The level of noise depends on conductor conditions, voltage level, and weather conditions. Generally, activity- related noise levels during the operation and maintenance of transmission lines are minimal and do not exceed the MPCA Noise Limits outside the right-of-way.[69] Noises associated with a substation result from the operation of transformers and switchgear. Applicants modeled and estimated noise levels for each of the substations.[70]

65. The audible noise levels associated with operation of the project are not predicted to exceed the MPCA Noise Limits.[71]

3. Aesthetics

66. The Proposed Route parallels US 59 and utilizes the adjacent road ROW. Land use in the corridor includes a mix of agriculture, residential and commercial use. Commercial businesses along the route include public storage facilities, a liquor store, RV and Marine dealer, and a flea market area.[72] Visual impacts are unavoidable and are expected to be most noticeable for residents and businesses in the immediate vicinity of the transmission line and substation.[73]

[65] EA at 27.

[66] EA at 29.

[67] EA at 30.

[68] Id.

[69] EA at 31.

[70] Id.

[71] Id.

[72] EA at 26.

[73] Id.

Table 1 Residential and Commercial Buildings within 200 Feet of the Anticipated Alignment

Building Type	Buildings within 50 ft.	Buildings within 50 to 100 ft.	Buildings within 100 to 200 ft.	Total Buildings within 200 ft.
Residential	0	7	7	14
Commercial	1	2	12	15

67. Aesthetic impacts can be minimized by placing the alignment and structures of the transmission line away from residences and by limiting impacts to natural landscapes.[74] Applicants have indicated they will minimize impacts to vegetation and natural landscapes.[75]

68. Aesthetic impacts resulting from the Project if constructed along the Proposed Route are anticipated to be minimal.[76]

4. Cultural Values

69. Cultural values include shared community beliefs or attitudes, among a given area or population that define what is collectively important and worthwhile to the group.[77]

70. Detroit Lakes and the surrounding area value the rich natural amenities of the region. Lakes, forests, and managed public lands enhance the lives of residents and provide an array of outdoor recreation opportunities that contribute to regional tourism economy.[78]

71. No long-term impacts to cultural values is anticipated as a result of construction of the Project.[79]

5. Recreation

72. There are a number of existing recreational resources within the Project vicinity, including parks, trails, rivers, and lakes. Popular activities include camping, fishing, hunting, bird watching, canoeing, kayaking, boating, swimming, golfing, biking, hiking, cross country skiing, and snowmobiling.[80]

73. Impacts to recreational resources will be minimal and primarily visual in nature.[81]

[74] EA at 29.
[75] Id.
[76] Id.
[77] EA at 27.
[78] Id.
[79] Id.
[80] EA at 32.
[81] Id.

6. Public Service and Infrastructure

74. Temporary impacts to public services resulting from the Project are anticipated to be minimal. Long-term impacts to public services are not anticipated.[82]

75. No impacts to water utilities are anticipated as a result of the Project.[83]

76. No impacts to natural gas service are anticipated as a result of the Project.[84]

77. No impacts to emergency services are anticipated due to the Project.[85]

78. Applicants must obtain permits and approvals from MnDOT for crossing state and federal highways. Applicants are also required to comply with MnDOT's accommodation policy for placement of utilities along and across state highways. Impacts to roads and highways due to the Project construction are anticipated to be minimal and temporary. Applicants have indicated that they will work with roadway authorities to minimize obstructions and inconvenience to the public and that construction equipment will be moved in a manner to minimize safety risks and avoid traffic congestion.[86]

7. Zoning and Land Use Compatibility

79. The Project is generally compatible with current and future land use in the project area and impacts to land uses due to the Project are anticipated to be minimal.[87]

B. Effects on Human Health and Safety

80. Minnesota high voltage transmission line routing factors require consideration of the Project's potential effect on health and safety.[88]

1. Construction and Operation of Facilities

81. The Project will be designed in compliance with local, state, National Electric Safety Code ("NESC"), and Applicants' standards regarding clearance to ground, clearance to crossing utilities, clearance to buildings, strength of materials, and right-of-way widths.[89]

82. Applicants' construction crews and/or contract crews will comply with local, state, NESC, and Applicants' standards regarding installation of facilities and standard

[82] EA at 34.

[83] EA at 35.

[84] Id.

[85] Id.

[86] EA at 35.

[87] EA at 29.

[88] Minn. Stat. § 216E.03, Subd. 7(b)(1); Minn. R. 7850.4100(B).

[89] Application at 13.

construction practices. Applicants' and industry safety procedures will be followed during construction and after installation of the transmission lines.[90]

83. DLPU will conduct monthly inspections of the substation after construction.[91] DLPU personnel will perform annual line inspections, maintain equipment, and repair any damage. DLPU would also conduct regular route maintenance for removal of undesired vegetation that would interfere with the operation of the proposed transmission line.[92]

2. Electric and Magnetic Fields

84. There are no federal standards for transmission line electric fields.[93]

85. The Commission has imposed a maximum electric field limit of 8 kV/m measured at one meter above the ground at the edge of the right-of-way.[94]

86. The calculated electric fields for the Project are less than the maximum limit of 8 kV/m prescribed by the Commission.[95]

87. There are no federal or state regulations for the permitted strength of magnetic fields from transmission lines.[96]

88. Research has not been able to establish a cause and effect relationship between exposure to magnetic fields and adverse health effects.[97]

89. There is no indication that any significant impact on human health and safety will result from the Project.[98]

C. Effects on Land-Based Economies and Direct and Indirect Economic Impacts

90. Minnesota's high voltage transmission line routing factors require consideration of the Project's impacts to land-based economies, specifically agriculture, forestry, tourism, and mining.[99]

1. Agriculture

[90] Id.

[91] Application at 14.

[92] Id.

[93] EA at 36.

[94] Id.

[95] Id.

[96] Id.

[97] Id.

[98] EA at 37.

[99] Minn. Stat. § 216E.03, Subd. 7(b)(5); Minn. R. 7850.4100(C).

91. Agriculture is a land-based economic resource along the Proposed Route.[100]

92. The proposed project is located within the existing MnDOT right-of-way and no poles will be placed in agricultural lands.[101]

93. No impacts to agricultural operations will result from construction and operation of the project. [102]

2. Forestry

94. There are no forestry resources within the proposed route. [103]

3. Mining

95. There are no mining resources within the proposed route.[104]

D. Effects on Archeological and Historic Resources

96. Minnesota Rule 7850.4100(D) requires consideration of the effects on historic and archaeological resources.

97. SHPO recommended that an archaeological survey be completed if the project location could not be documented as previously disturbed or previously surveyed.[105]

98. DLPU considers the ROW to be "previously disturbed" since the project location is located in public ROW with existing underground utilities, and that an archaeological survey is unnecessary.[106] DLPU has not provided information on previous surveys that would indicate the proposed project would not impact to historic or archaeological resources.[107]

99. Avoidance of known archaeological and historic resources is the preferred mitigation strategy. Additional mitigation includes stopping construction and contacting SHPO to determine how best to proceed.[108]

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[100] EA at 39.

[101] Id.

[102] Id.

[103] Id.

[104] Id.

[105] EA at 41.

[106] EA at 41.

[107] Id.

[108] Id.

E. Effects on Natural Environment

100. Minnesota's high voltage transmission line routing factors require consideration of the Proposed Route's effect on the natural environment, including effects on air and water quality resources and flora and fauna.[109]

1. Air Quality

101. Ozone and nitrous oxide emissions from the Project are anticipated to be less than state and federal standards. Impacts due to construction dust are anticipated to be minor and temporary.[110] Applicants will use dust control measures to minimize dust during Project construction.[111]

102. No significant impacts to air quality are anticipated from the Project or any of the route alternatives.[112]

2. Water Quality and Resources

103. The Project avoids or spans surface waters. Applicants will use best management practices to prevent construction sediments from impacting surface waters and follow DNR recommendations to minimize impacts at crossings of public waters. Thus, impacts to surface waters are anticipated to be minimal.[113]

104. Utilizing the existing MNDOT right-of-way avoids permanent impacts to surrounding wetlands, waterbodies, watercourses or mapped floodplains.[114] Short-term construction impacts may occur, including sedimentation.[115] Long-term impacts are not expected as a result of construction or operation of the Project. [116]

105. Groundwater impacts are anticipated to be minimal.[117]

3. Flora

[109] Minn. Stat. § 216E.03, Subd. 7(b)(1)-(2); Minn. R. 7850.4100(E).

[110] EA at 42.

[111] Id.

[112] EA at 43.

[113] EA at 44.

[114] Id.

[115] Id.

[116] Id.

[117] EA at 45.

106. Impacts to flora due to the Project are anticipated to be minimal.[118]Tree trimming and removal will be minimized to the extent practicable to maintain roadway and electrical safety standards.[119]

107. Impacts to flora can be mitigated by (1) placement of the alignment and specific structures to avoid trees and other tall-growing species, (2) construction during fall and winter months to limit plant damage, (3) leaving or replanting compatible plants at the edge of the transmission line ROW, (4) replanting on the ROW with low growing, native species, and (5) avoiding the introduction of native species.[120]

4. *Fauna*

108. The Project area includes a variety of habitats including forested areas, grasslands, agricultural fields, wetlands, and lakes and streams.[121]

109. There are no public lands or wildlife management areas within or adjacent to the proposed route.[122]

110. The DNR indicated a need for bird flight diverters for the length of the transmission line due to the close proximity of lakes and wetlands bisected by US 59.[123] Impacts to avian species as a result of the Project are anticipated to be minimal to moderate; however, impacts can be mitigated through the use of bird flight diverters.[124] Short-term and long-term impacts to other wildlife species, such as displacement or loss of habitat due to tree removal may occur during construction and operation. but such impacts are anticipated to be minimal.[125]

F. Effects on Rare and Unique Natural Resources

111. Minnesota's high voltage transmission line routing factors require consideration of the Project's effect on rare and unique natural resources.[126]

112. There are rare and unique plant communities in the Project area, including a Lake of Biological Significance containing an Aquatic Management Area on Meadow Lake. Meadow Lake contains records of a fish species, the least darters (*Etheostoma microperca)*, which is listed as a state species of special concern.[127]

[118] EA at 46

[119] Id.

[120] Id.

[121] EA at 46.

[122] EA at 47.

[123] Id.

[124] Id.

[125] EA at 46.

[126] Minn. Stat. § 216E.03, Subd. 7(b)(1); Minn. R. 7850.4100(F).

[127] EA at 47.

113. The proposed project is not expected to impact threatened, endangered, or species of special concern and further minimizes potential impacts by utilizing an existing roadway corridor and ROW, which tends to minimize the impacts on rare and unique natural resources (vegetation, wildlife, and natural communities).[128]

G. Application of Various Design Considerations

114. Minnesota's high voltage transmission line routing factors require consideration of the Project's applied design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity.[129]

115. The Project is designed to improve electrical service and reliability in the Project area. It is also designed to accommodate future expansion of the transmission system in the area.[130]

H. Use or Paralleling of Existing Right-of-Way, Survey Lines, Natural Division Lines, and Agricultural Field Boundaries

116. Minnesota's high voltage transmission line routing factors require consideration of the Project's use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries.[131]

117. Using existing corridors reduces and minimizes impacts on planned future residential areas, commercial properties, and environmental and sensitive resources.[132]

118. The proposed project will be located within MnDOT's right-of-way along US 59.[133]

I. Use of Existing Transportation, Pipeline, and Electrical Transmission System Rights-of-Way

119. Minnesota's high voltage transmission line routing factors require consideration of the Project's use of existing transportation, pipeline and electrical transmission system rights-of-way.[134]

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[128] Id.

[129] Minn. Stat. § 216E.03, Subd. 7(a)-(b); Minn. R. 7850.1900, Subp. 2(L).

[130] Application at 9 and 11.

[131] Minn. Stat. § 216E.03, Subd. 7(b)(9); Minn. R. 7850.4100(H).

[132] EA at 18.

[133] EA at 7.

[134] Minn. Stat. § 216E.03, Subd. 7(b)(8); Minn. R. 7850.4100(J).

120. The proposed project will be located within MnDOT's right-of-way along US 59.[135]

J. Electrical System Reliability

121. Minnesota's high voltage transmission line routing factors require consideration of the Project's impact on electrical system reliability.[136]

122. The proposed Project will improve electrical service and reliability in the Project area.[137]

K. Costs of Constructing, Operating, and Maintaining the Facility

123. Minnesota's high voltage transmission line routing factors require consideration of the Project's cost of construction, operation, and maintenance.[138]

124. The estimated cost to construct the Project (HVTL and substation) is approximately $3.5 million.[139]

125. Maintenance costs after construction will be nominal for several years, since the proposed transmission line will be new and there will be minimal initial vegetation management required.[140] DLPU conducts annual line inspection on the HVTL. Maintenance and repair are performed on an as-needed basis.

126. DLPU performs periodic inspections of substations and equipment. The type and frequency of inspection varies depending on the type of equipment.[141] Typical inspection intervals are semi-annual or annual. Maintenance and repair are performed on an as-needed basis, and therefore the cost varies from substation to substation.[142]

L. Adverse Human and Natural Environmental Effects Which Cannot be Avoided

127. Minnesota's high voltage transmission line routing factors require consideration of the adverse human and natural environmental effects, which cannot be avoided, for each proposed route.[143]

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[135] EA at 7.

[136] Minn. Stat. § 216E.03, Subd. 7(b)(10); Minn. R. 7850.4100(K).

[137] Application at 9.

[138] Minn. R. 7850.4100(L).

[139] Application at 9.

[140] Id.

[141] Application at 10.

[142] Id.

[143] Minn. Stat. § 216E.03, Subd. 7(b)(5)-(6); Minn. R. 7850.4100(M).

128. Unavoidable adverse impacts include aesthetic impacts, impacts to vegetation, and impacts to wildlife and wildlife habitat.[144]

M. Irreversible and Irretrievable Commitments of Resources

129. Minnesota's high voltage transmission line routing factors require consideration of the irreversible and irretrievable commitments of resources that are necessary for each proposed route.[145]

130. Irreversible and irretrievable resource commitments are related to the use of nonrenewable resources and the effects that the use of those resources have on future generations. Irreversible effects result primarily from the use or destruction of a specific resource that cannot be replaced within a reasonable timeframe. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of action.[146]

131. There are few commitments of resources associated with this Project that are irreversible and irretrievable, but those few resources relate primarily to construction of the Project. Only construction resources, such as concrete, steel, and hydrocarbon fuels, will be irreversibly and irretrievably committed to this Project.[147]

II. NOTICE

132. Minnesota statutes and rules require Applicants to provide certain notice to the public and local governments before and during the Application for a Route Permit process.[148]

133. Applicants provided notice to the public and local governments.[149]

134. Minnesota statutes and rules also require EERA and the Commission to provide certain notice to the public throughout the Route Permit process.[150] EERA and the Commission provided the notice in satisfaction of Minnesota statutes and rules.[151]

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[144] EA at 50.

[145] Minn. Stat. § 216E.04, Subd. 7(b)(11); Minn. R. 7850.4100(N).

[146] EA at 50.

[147] Id.

[148] Minn. Stat. § 216E.03, Subds. 3a, 4; Minn. R. 7850.2100, Subps. 2, 4.

[149] Application, Appendix E.

[150] Minn. Stat. § 216E.03, Subd. 6; Minn. R. 7850.2300, Subp. 2; Minn. R. 7850.3700, Subps. 2, 3, and 6.

[151] EA Scoping Decision; Notice of Availability of EA; Notice of Availability of EA in EQB Monitor; Notice of Comment Period on Application Completeness; Commission Meeting Notice on Completeness; Notice of Public Information and Scoping Meeting; Notice of Hearing.

III. COMPLETENESS OF EA

135. The Commission is required to determine the completeness of the EA.[152] An EA is complete if it and the record address the issues and alternatives identified in the Scoping Decision.[153]

136. The evidence on the record demonstrates that the EA is adequate; the EA and the record created at the public hearing and during the subsequent comment period address the issues and alternatives raised in the Scoping Decision.[154]

Based on the foregoing Findings of Fact and the record in this proceeding, the Commission makes the following:

CONCLUSIONS

137. The Commission has jurisdiction to consider the Application.

138. The Commission determined that the Application was substantially complete and accepted the Application on September 5, 2019.[155]

139. EERA has conducted an appropriate environmental analysis of the Project for purposes of this Route Permit proceeding and the EA satisfies Minnesota Rules 7850.3700 and 7850.3900. Specifically, the EA and the record address the issues and alternatives identified in the Scoping Decision to a reasonable extent considering the availability of information, and the EA includes the items required by Minnesota Rule 7850.3700, Subpart 4, and was prepared in compliance with the procedures in Minnesota Rule 7850.3700.

140. Applicants gave notice as required by Minnesota Statutes Section 216E.04, Subdivision 4; Minnesota Rule 7850.2100, Subpart 2; Minnesota Rule 7850.2100, Subpart. 4.

141. Notice was provided as required by Minnesota Statutes Section 216E.04, Subdivision 6; Minnesota Rule 7850.3500, Subpart 1; Minnesota Rule 7850.3700, Subparts 2, 3, and 6; and Minnesota Rule 7850.3800.

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[152] Minn. R. 7850.3900, Subp. 2.

[153] *Id.*

[154] EERA *Scoping Decision*, eDockets 20202-160758-01 and *Environmental Analysis of the Potential Human and Environmental Impacts of the Detroit Lakes Public Utility 115kV Transmission Line and Substation,* eDockets No. 20206-163636-01, 20206-163636-02, 20206-163636-03, 20206-163636-04, 20206-163636-05.

[155] Commission Order Accepting Application as Complete, eDockets 201910-156919-01.

142. A public hearing was conducted near the Proposed Route. Proper notice of the public hearing was provided, and the public was given the opportunity to speak at the hearing and to submit written comments. All procedural requirements for the Route Permit were met.

143. The evidence on the record demonstrates that the Proposed Route best meets the Route Permit factors set forth in Minnesota Statutes Section 216E.04, Subdivision 8 (referencing Minnesota Statutes Section 216E.03, Subdivision 7) and Minnesota Rule 7850.4100.

144. The evidence on the record demonstrates that the general Route Permit conditions are appropriate for the Project.

145. Any of the foregoing Findings more properly designated Conclusions are hereby adopted as such.

Exhibit A – Applicants' Proposed Route

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT FOR A
HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
BECKER COUNTY

ISSUED TO
DETROIT LAKES PUBLIC UTILITIES

PUC DOCKET NO. E229/TL-18-755

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

DETROIT LAKES PUBLIC UTILITIES

Detroit Lakes Public Utilities is authorized by this route permit to construct and operate an approximately 2.2-mile 115-kilovolt (kV) high-voltage transmission line, substation and associated facilities in Becker County

The high-voltage transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the route maps and in compliance with the conditions specified in this permit.

Approved and adopted this ____ day of _____

BY ORDER OF THE COMMISSION

_____
Will Seuffert,
Executive Secretary

CONTENTS

ATTACHMENTS

1 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Detroit Lakes Public Utilities (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Permittee to construct and operate an approximately 2.2-mile 115-kilovolt (kV) high-voltage transmission line, substation and associated facilities in Becker County, and as identified in the attached route maps, hereby incorporated into this document.

1.1 Preemption

Pursuant to Minn. Stat. § 216E.10, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the transmission facilities and this 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 PROJECT DESCRIPTION

The Project includes new 115 kV transmission lines and substation south of the City of Detroit Lakes in Becker County, Minnesota. The project utilizes existing road-right-of way along US Highway 59, owned by the Minnesota Department of Transportation.

2.1 Project Location

The new transmission line will tie into the existing 115 kV transmission line owned and operated by Great River Energy located in Section 33, T138N, R41W. 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 US 59 to the new substation.

County	Township Name	Township	Range	Section(s)
Becker	Lake View	138N	R41W	21, 28 and 33

2.2 Substations and Associated Facilities

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

2.3 Structures

Three types of self-weathering steel monopoles capable of carrying a single-circuit 115 kV HVTL. Structures will be direct embedded to a depth of nine to 14 feet. Structure types include stacked configuration, staggered configuration and concrete foundation.

2.4 Conductors

The table below details specifics on the various structure and conductor types as presented in the route permit application.

Line Type	Conductor	Structure		Foundation	Height	Span
		Type	Material			
Single Circuit	336 kcmil ACSR Linnet	Monopole	Self-weathering Steel	17-20 inches concrete and direct embedded	70-80 feet	275-310 feet

3 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The route is generally described as follows:

The new transmission line will tie into the existing 115 kV transmission line owned and operated by Great River Energy located in Section 33, T138N, R41W. 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 US 59 to the new substation.

The identified route widths on the attached route maps provide the Permittee with flexibility for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (*i.e.*, permanent and maintained rights-of-way) must be located within this designated route unless otherwise authorized by this permit or the Commission.

4 RIGHT-OF-WAY

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line ranging between 15 to 49 feet. The proposed project will be located within the Minnesota Department of Transportation's (MnDOT's) right-of-way along US Highway 59.

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7850.4100. The actual right-of-way will 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 permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this 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. R. 7850.4100 and the other requirements of this permit; and for highways under the jurisdiction of the Minnesota Department of Transportation, the procedures for accommodating utilities in trunk highway rights-of-way.

4.1 Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. These constraints may arise from any of the following:

1. Unforeseen circumstances encountered during the detailed engineering and design process.
2. Federal or state agency requirements.
3. Existing infrastructure within the route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7850.4900.

5 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the transmission line and associated facilities over the life of this permit.

5.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, county auditor and environmental office, and city and township clerk in which any part of the site is located.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's *Rights-of-Way and Easements for Energy Facility Construction and Operation Fact Sheet*.[1]

5.2 Access to Property

The Permittee shall contact landowners prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner.

5.3 Construction and Operation Practices

The Permittee shall follow those specific construction practices and material specifications described in described in the November 6, 2019 *Revised Application for a Route Permit for a 115 kV High Voltage Transmission Line and South Substation,* and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1 Field Representative

[1] http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. 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 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.2 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the transmission line of the terms and conditions of this permit.

5.3.3 Public Services and Public Utilities

During construction, the Permittee shall minimize any disruption to public services and public utilities. To the extent disruptions to public services or public utilities occur these will be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall consult with landowners, townships, cities, and counties along the route and consider concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.3.4 Temporary Work Space

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. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should be used to minimize impacts on access paths and construction areas.

5.3.5 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0100 to 7030.0080, at all times at all appropriate locations during operation of the facility. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

5.3.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners and land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project 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. Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

5.3.7 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 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 (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) 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 facilities shall be returned to pre-construction conditions.

5.3.8 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. All requirements of the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (DNR), and local units of government shall be met.

5.3.9 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.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. 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 that will not pose a threat to the transmission facility or impede construction.

5.3.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, DNR, and the U.S. Environmental Protection Agency. 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 or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by project construction activities. The Permittee shall develop an Invasive Species Prevention Plan to prevent the introduction and spread of invasive species on lands disturbed by project construction activities and file with the Commission 30 days prior to the pre-construction meeting.

5.3.12 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 consult with landowners on the selection and use of seed for replanting.

5.3.13 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 project. Where practical, existing roadways shall be used for all activities associated with construction of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. 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.

5.3.14 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified 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 project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained 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 immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

5.3.15 Avian Protection

The Permittee in cooperation with the DNR shall identify areas of the project 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.

5.3.16 Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. 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 advise the Commission in writing of the completion of such activities.

5.3.17 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.3.18 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.3.19 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.

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 milliampere rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code (NESC). The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.4.2 Electric Field

The transmission line shall be designed, constructed, and operated 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 line, 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 line.

5.5 Other Requirements

5.5.1 Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the NESC, and North American Electric Reliability Corporation (NERC) 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. The transmission line shall be equipped with protective devices to safeguard the public if an accident occurs.

5.5.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6 SPECIAL CONDITIONS

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

6.1 MnDOT Consultation

The Permittee shall consult with the MnDOT District 4 Engineering staff regarding required permits such as those for utility accommodation, oversize/overweight hauling and other highway access permitting.

6.2 Bird Diverters

The Permittee shall consult with the DNR and USFWS regarding strategies to avoid and mitigate impacts to avian species, including the use of avian flight diverters. The Permittees shall document and file with the Commission their consultations with DNR and USFWS and the resulting mitigation strategies.

6.3 Native Plan Communities

The Permittee shall consult with the DNR and other appropriate agencies regarding mitigation strategies for potential impacts to rare native plant communities and state-listed species including, but not limited to, surveys. The Permittees shall document and file with the Commission their consultations and the resulting mitigation strategies.

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 permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The 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 permit.

Upon request, the Permittee shall assist the Commission 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 permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1 Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission 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 line. 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 per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this 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 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 permit.

9.2 Status Reports

The Permittee shall report to the Commission on progress during finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report

more frequently than monthly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration. Reports shall describe construction activities and progress and activities undertaken in compliance with this permit. Reports shall include text and photographs.

9.3 In-Service Date

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

9.4 As-Builts

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

9.5 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 line and each substation connected.

9.6 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 permit.

10 PERMIT AMENDMENT

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

11 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer. The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12 REVOCATION OR SUSPENSION OF THE PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.

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 Public Advisor at 1-800-657-3782 (voice messages are acceptable) or publicadvisor.puc@state.mn.us. For e-mail reporting, the email

subject line should read “PUC EFP 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 Will Seuffert, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: https://www.edockets.state.mn.us/EFiling/home.jsp. 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 one year 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 persons 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 Public Advisor at 1-800-657-3782 or publicadvisor.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 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 with Will Seuffert, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: https://www.edockets.state.mn.us/EFiling/home.jsp

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. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being electronically filed, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Will Seuffert, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any electronically filed document.

PERMIT COMPLIANCE FILINGS[1]

PERMITTEE: Detroit Lakes Public Utilities
PERMIT TYPE: High-Voltage Transmission Line
PROJECT LOCATION: Becker County
PUC DOCKET NUMBER: E-229/TL-18-755

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	5.1	Permit Distribution	30 days after permit issuance
	5.3.1	Field Representative	14 days prior to commencing construction
	5.3.10	Application of Pesticides	Notice 14 days prior to application
	5.3.11	Invasive Species Prevention Plan	30 days prior to commencing construction
	5.3.16	Site Restoration Report	60 days after completion of all restoration activities
	5.5.2	List of Other Required Permits	Upon request
	7	Delay in Construction	Four years after permit issuance, as necessary
	8	Complaint Procedures	Prior to commencing construction
	9.1	Plan and Profile	30 days prior to commencing construction

[1] 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.

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	9.2	Status Reports	Monthly through restoration
	9.3	In-Service Date	Three days prior to commercial operation
	9.4	As-Builts	90 days after construction is complete
	9.5	GPS Data	90 days after construction is complete
	Complaint Reporting	Monthly Complaint Reports	See Route Permit Attachment 1
	Complaint Reporting	Immediate Complaint Reports	By the following day throughout the life of the permit

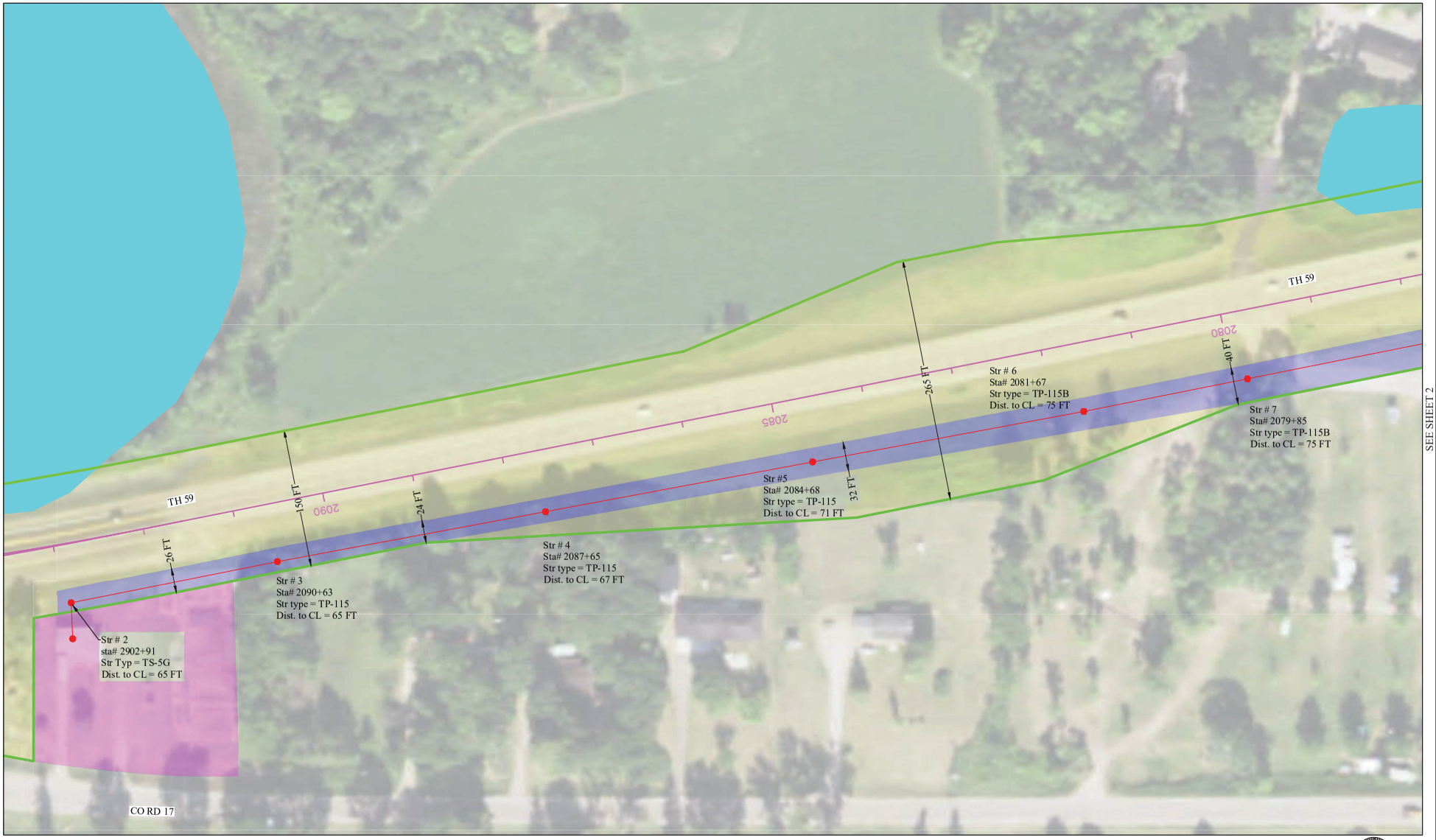
MAP LEGEND

- MNDOT Right-of-way
- Proposed DLPU 115 kV Transmission Line
- Existing 11k kV Transmission Line (owned by Great River Energy)
- Highway Centerline (CL)
- Proposed Transmission Line Structure
- Anticipated Route Width (Existing MNDOT Right-of-way)
- Portion of MNDOT Right-of-way occupied by DLPU HVTL
- Proposed 115 kV Substation
- Proposed permanent DLPU Easement
- NWI Locations

NOTES

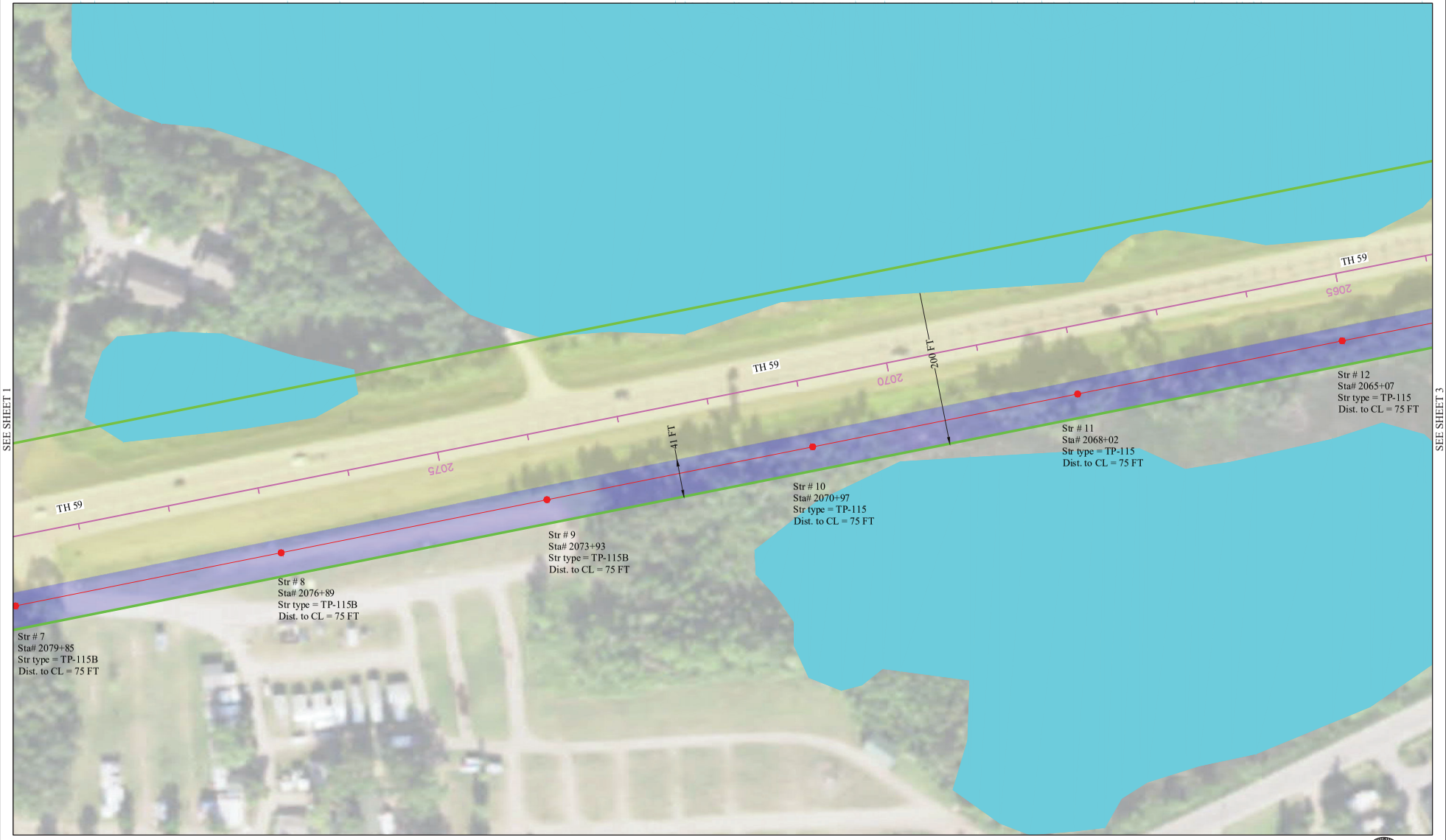
1. Dimensions are approximate and based on data provided by MNDOT. Final dimensions to be determined with final design and topographical survey.

	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET	KEY



	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET 1 OF 8

SEE SHEET 1

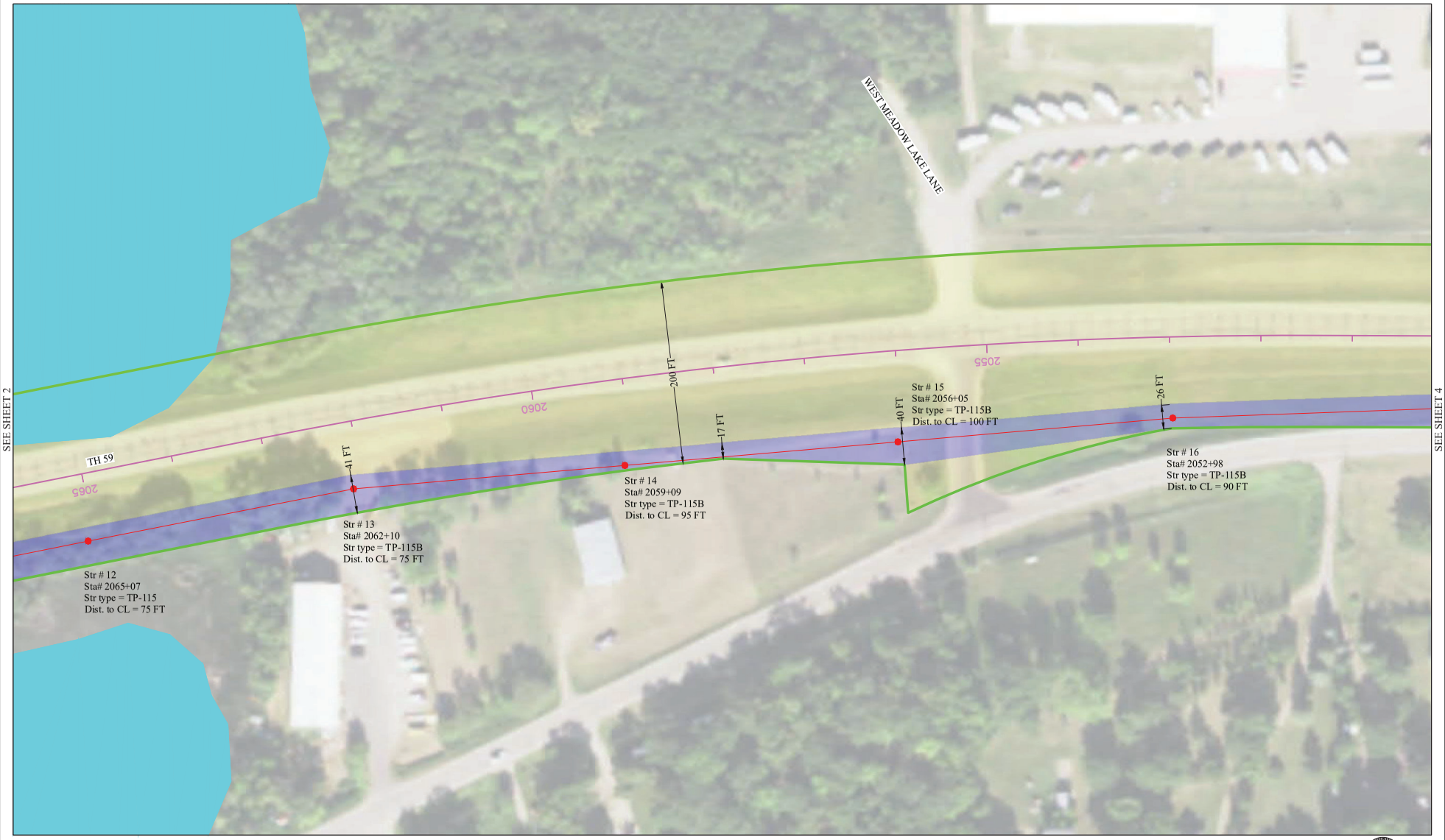


SEE SHEET 3

DETROIT LAKES PUBLIC UTILITIES
DETROIT LAKES, MN

MAP 2
PROPOSED 115 kV TRANSMISSION LINE
CORRIDOR RIGHT-OF-WAY MAP

SHEET 2 OF 8



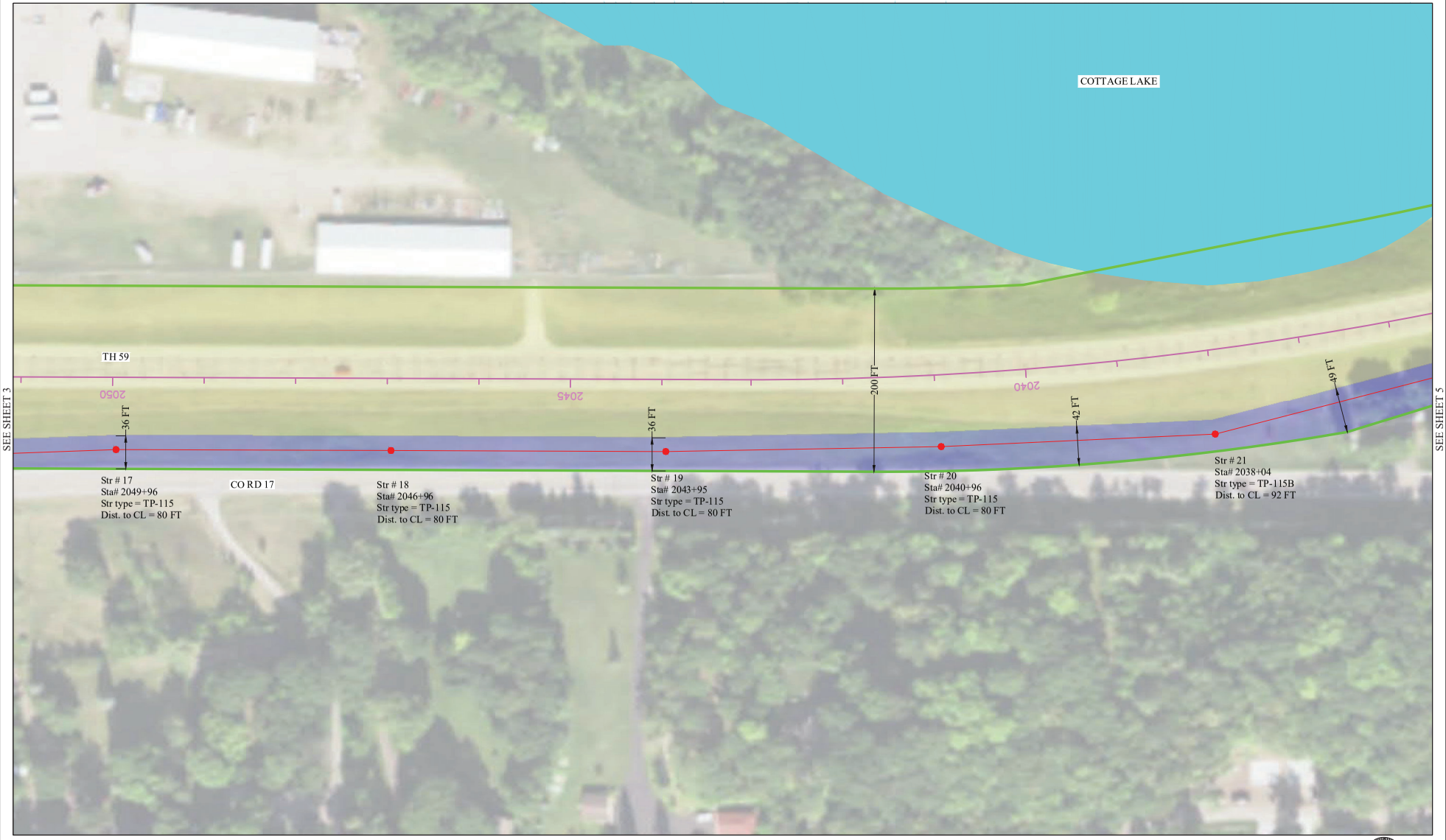
SEE SHEET 2

SEE SHEET 4

DETROIT LAKES PUBLIC UTILITIES
DETROIT LAKES, MN

MAP 2
PROPOSED 115 kV TRANSMISSION LINE
CORRIDOR RIGHT-OF-WAY MAP

SHEET 3 OF 8



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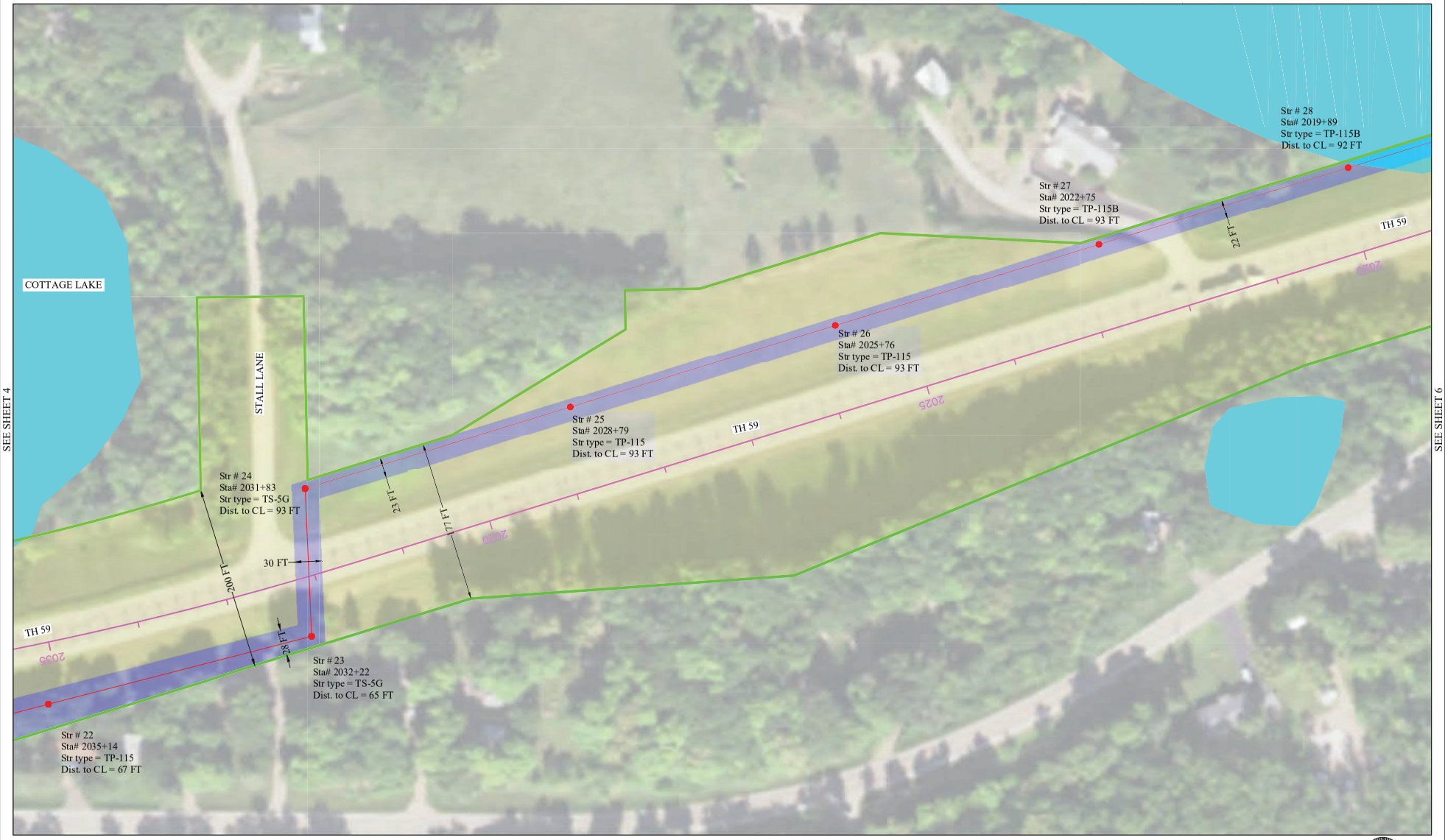

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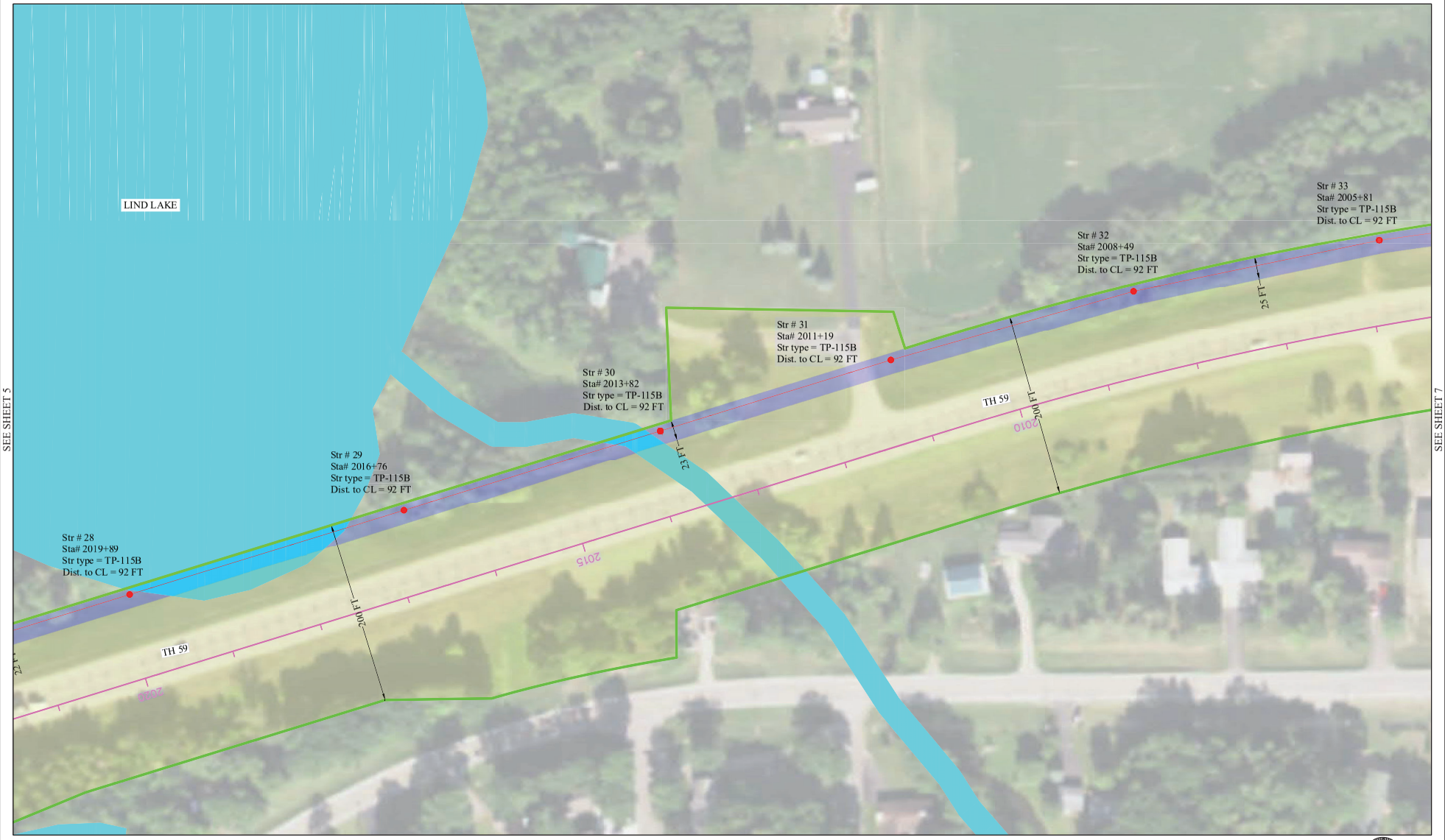
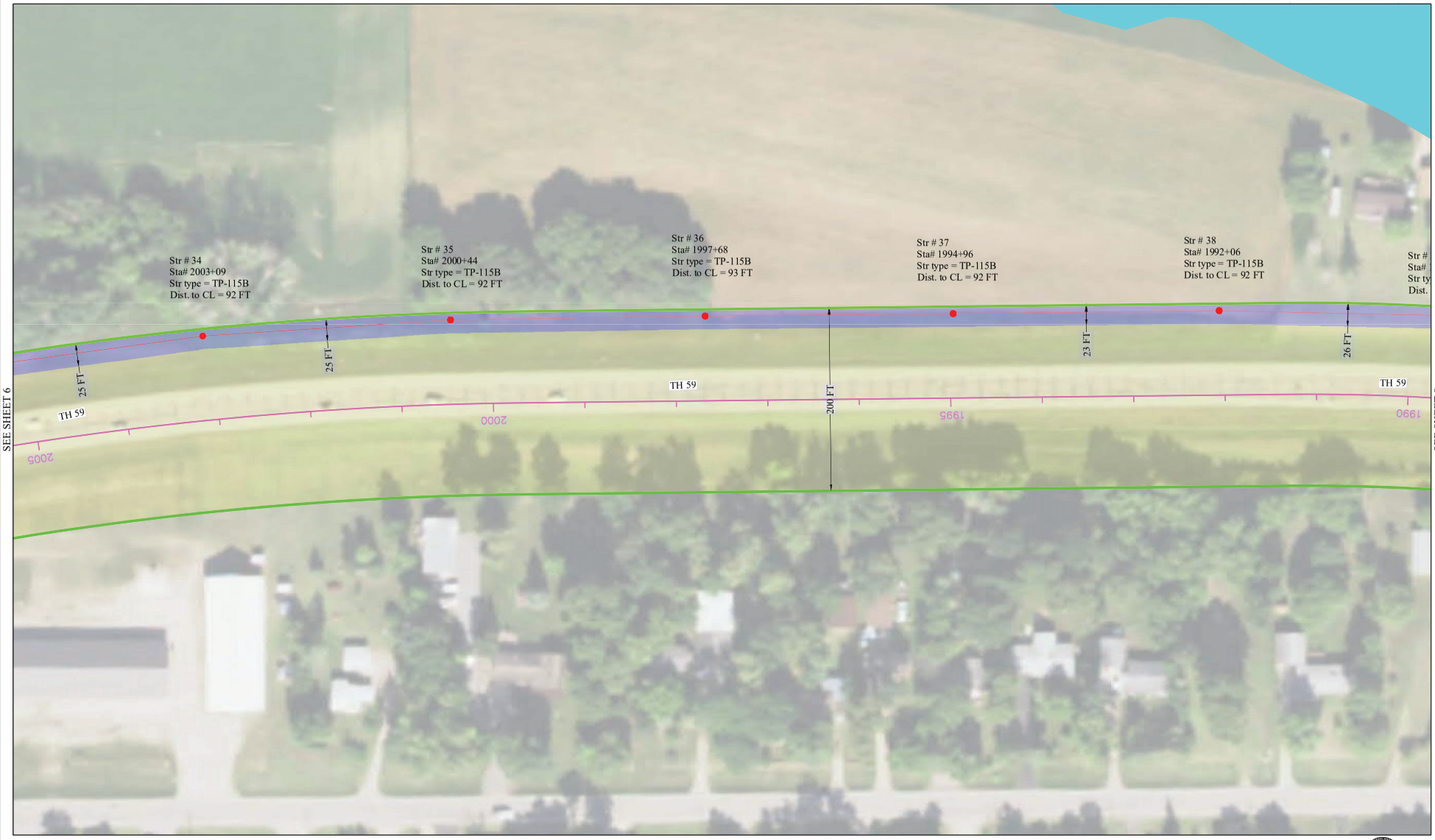
P:\041911\15\DWG\MNDOT\RO304_37ERW AND ALL STATIONINGSHEETS_10-30-2019 MAP 2.DWG

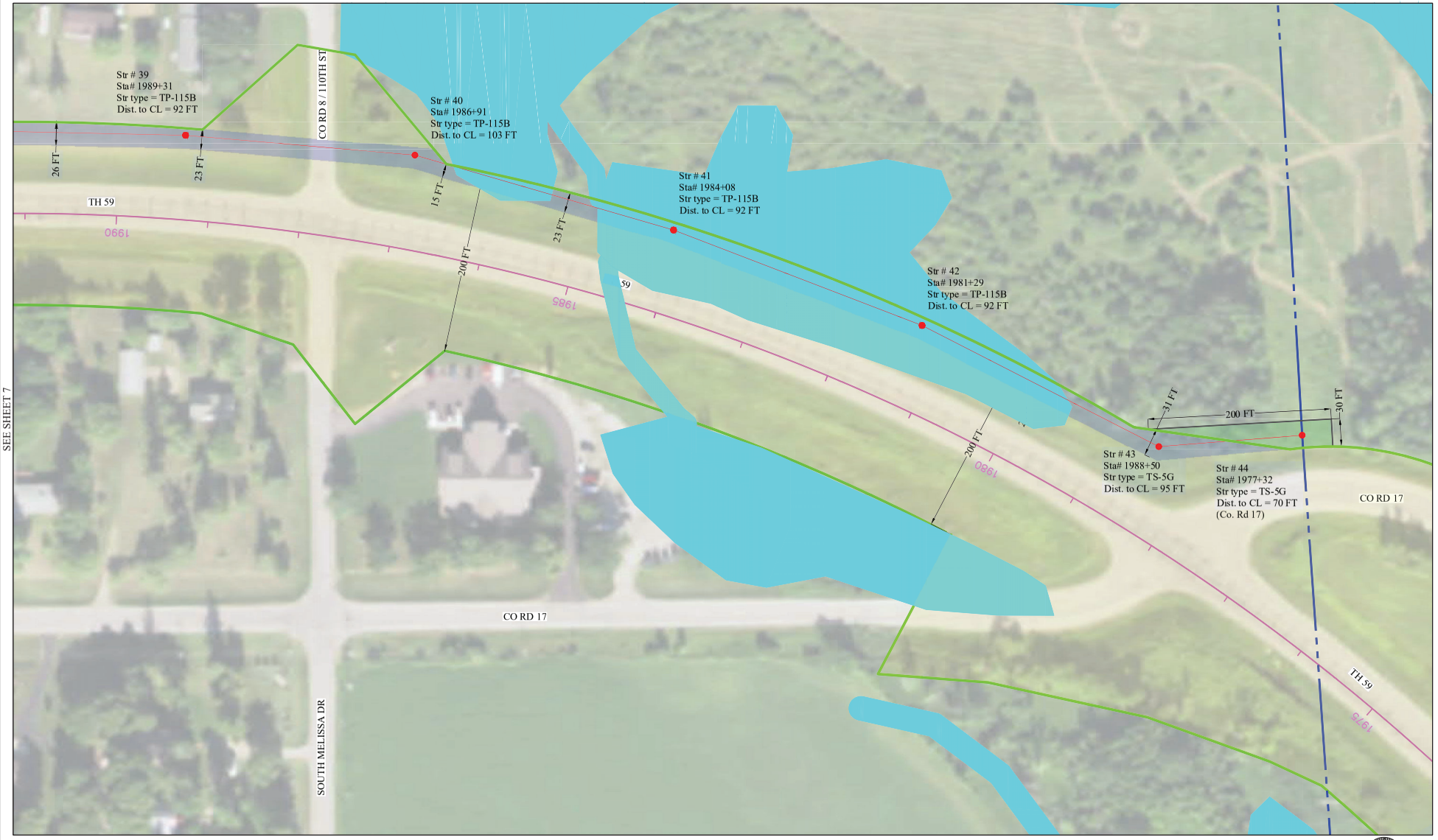
	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET 5 OF 8



	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET 6 OF 8



	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET 7 OF 8



	DETROIT LAKES PUBLIC UTILITIES DETROIT LAKES, MN	MAP 2 PROPOSED 115 kV TRANSMISSION LINE CORRIDOR RIGHT-OF-WAY MAP	SHEET 8 OF 8