

NEW AND MODIFIED DECISION OPTIONS

Proposed by Commissioner Tuma

Agenda Meeting: September 4, 2025

DOCKET NUMBER	ET2/TL-24-132
ANALYST	Sam Lobby, Logan Hicks
DATE/TIME SUBMITTED	8/27/2025, 11:20 am
TITLE	Tuma Modified 1 and 5; Tuma New 5A, 5B
ATTACHMENT	No
SUBJECT	In the Matter of the Application of Great River Energy for a Route Permit Application for the Laketown 115-kV Transmission Line in Carver County, Minnesota.

Tuma Modified 1. Adopt the ALJ Report to the extent it is consistent with the Commission's Decisions in this matter except for the findings and conclusion that:

"Applicants failed to give notice as required by Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4 when they failed to provide notice to the City of Carver."

The ALJ Report (including but not limited to Findings 103, 107, 111, 112, 158, 313 and 314 and Conclusions of Law 5 and 7) shall be modified to find that notice was appropriately given pursuant to Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4.

Tuma Modified 5: Find that the Environmental Assessment (EA) and the record created at the public hearing address the issues identified in the Scoping Decision except as the EA relates to the details on the reliability concerns of Alternative B as compared to the Proposed Route along with a more detailed description of the steps necessary to address the reliability concerns and cost differential of achieving a similar level of reliability of the two route options and distribution system modifications. Require the applicant within seven days of the order to supplement their response at Appendix C of the EA to provide:

- i. a more detailed description of the reliability concerns regarding Route B;
- ii. the steps necessary to address the reliability concerns;

- iii. detail of all cost impacts to distribution system modifications; and
- iv. a breakdown of all the elements that make up the cost estimate of approximately \$8-10 million to achieve a similar reliability with Route Alternative B compared to the Proposed Route.

Request that staff, within 30 days of the order, file any updated information from this filing on the reliability comparisons and cost estimates of the applicant to supplement the record.

Tuma new 5.A. Require the applicant to retain an independent engineering consultant to analyze the reliability concerns, proposed steps necessary to address the concerns, and estimated costs relating to Alternative B compared to the Proposed Route. The selection shall be made with the advice and consent of the Executive Secretary and the work shall be directed by the Executive Secretary. The report shall be submitted directly to the ALJ and the Executive Secretary for inclusion in the record.

Tuma new 5.B. Request remand of this matter to the Court of Administrative Hearings to set the schedule and procedure for further record development and to issue findings, conclusions, and recommendations focused on comparison of the Applicants' Proposed Route and Route Alternative B by obtaining:

- a. Greater detail on the reliability concerns associated with Alternative B as compared to the Proposed Route along with the steps necessary to address the reliability concerns and a more detailed description of the cost differential of achieving a similar level of reliability of the two route options;
- b. The Applicants' response to the reliability and cost report of the independent consultant;
- c. Comments from Xcel Energy, Inc. regarding any concerns about reliability and cost of Alternative B;
- d. A reliability and cost analysis of moving the proposed alignment for Alternative B to the north side of Augusta Road on the existing distribution right-of-way with the distribution line either collocated on the project structures or buried; and
- e. Further input from local units of government and landowners who own property within the proposed route width of either route to provide any additional comments on any of the routing factors, including the new reliability requirements and cost estimates, possible realignment of Alternative B to the north side of Augusta Road, to allow for a better side-by-side comparison.

Request that the ALJ include in the procedure for this record supplementation, at the minimum, notice that allows the impacted local units of government (including the City of Carver) and landowners who have property within the proposed route width to provide additional written

comments in the record for the ALJ and Commission's comparison of Alternative B and the Proposed Route in making the final route selection. The notice should include the independent engineering consultant's report on the reliability concerns, a description of a possible modification of Alternative B's proposed alignment to the north side of Augusta Road along with a corresponding map, steps to address the concerns, and estimated costs relating to Alternative B compared to the Proposed Route. The notice should provide an opportunity to comment on any of the routing factors for consideration. The Commission requests the ALJ's Report by _____.
(application: "The Applicants anticipate starting construction on the Laketown Substation in spring 2027.")

Delegate authority to the Executive Secretary to submit the remand request pursuant to Minn. Stat. § 14.62, subd. 2b.

If the Court of Administrative Hearings denies the remand request, authorize the Executive Secretary to set a schedule and procedure for developing the record as outlined above.