

Kodi J. Verhalen
612.977.8591
KVerhalen@Taftlaw.com

September 25, 2025

The Honorable Kristien R. E. Butler
Administrative Law Judge
Court of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620

Re: **In the Matter of the Joint Application of Minnesota Power for a Site and Route Permit for the 85-megawatt Boswell Solar Project and Associated 2.45 mile 230-kilovolt Transmission Line in Itasca County, Minnesota**
Minnesota Power Comments
MPUC Docket Nos. E015/GS-24-425 and E015/TL-24-426

Dear Judge Butler:

In accordance with the Amended Scheduling Order, Minnesota Power (the “Company”) provides these comments on the Environmental Assessment (“EA”) prepared by the Minnesota Public Utilities Commission Energy Infrastructure Permitting Staff (“EIP Staff”) and in response to questions raised at the public hearings for the Site and Route Permit proceeding for the 85-megawatt (“85 MW”) Boswell Solar Project and Associated 2.45 mile 230-kilovolt (“230 kV”) transmission line in Itasca County, Minnesota (“Project”).

A. Comments on the EA

As stated in the Direct Testimony of Company Witness Drew Janke, Minnesota Power is not proposing any significant changes in the overall Project site plan. However, Minnesota Power has participated in ongoing discussions with the Minnesota Department of Transportation (“MnDOT”) regarding the location of Project access roads. As a result of those discussions with MnDOT, Minnesota Power has identified revisions as shown in Schedule 1 to the Direct Testimony of Drew Janke. This change would result in similar impacts to those already analyzed in the EA, but Minnesota Power calls out this change to ensure that this relocation is reflected in a final Site Permit for the Project.

B. Mississippi River Setback Requirements

Two landowners with property located across the Mississippi River from the Project area requested information on Project setbacks from the Mississippi River and vegetative screening. Vegetative screening is discussed in Section C, below. The Company has reviewed the Project site plans and will design the Project such that fencing will be set back at least 100 feet horizontally and solar panels or inverters will be set back at least 120 feet horizontally from the ordinary high water mark of the Mississippi River.¹ Further, the EA proposes a special condition, that Minnesota Power agrees with, that requires the Company to consult with the Minnesota Department of Natural Resources (“MnDNR”) and the Mississippi Headwaters Board regarding potential impacts to the Mississippi River due to construction activities, including tree removal and erosion on the shoreline.² Minnesota Power will provide documentation of the results of its coordination with the MnDNR and the Mississippi Headwaters Board to the Commission prior to the commencement of construction.³

C. Tree Removal and Vegetative Screening

Several landowners asked about vegetative screening between adjacent residences and the Project. The EIP Staff included a discussion of the standard condition in Site Permits that would require Minnesota Power to “consider landowner input with respect to visual impacts and to use care 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 operation.”⁴ Further, EIP Staff proposed the following special condition to the Site Permit: “The [Company] shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts to adjacent residences and roadsides.”⁵ Minnesota Power has previously stated that this special condition is acceptable and reasonable for the Project.⁶

One landowner requested that certain trees on the Project property be left in place. These trees are located in the NW 1/4 of Section 18, T55N, R26W of the Project property. While this property is owned by Minnesota Power, the trees are owned by a third party who has full authority to manage the trees during the term of their lease. That third party has indicated the need to remove those trees, which were planted for research purposes only, later in 2025. Minnesota Power does not have the authority to require that this third party leave these trees on the Minnesota Power property. However, Minnesota Power will

¹ These measurements are at the location where the Project is closest to the river. However, the average setback is approximately 300 feet horizontally.

² Ex. PUC-EIP-6 at Appendix C, Section 5.12 (Boswell Solar Environmental Assessment and Appendices) (eDocket No. [20258-222456-04](#)).

³ *Id.*

⁴ *Id.* at Appendix C, Section 4.3.8.

⁵ *Id.* at Appendix C, Section 5.1.

⁶ Ex. MP-11 at 9 (Filing Letter, Certificate of Service, and Direct Testimony of Drew Janke) (Docket No. [20259-222676-03](#)).

work with adjacent landowners under Section 4.3.8 and Section 5.12 of the Site Permit on potential vegetative screening between residences and the Project.

D. Future Generating Resource Questions

Several members of the public asked questions related to future resource decisions of the Company and future use of the existing Boswell Energy Center coal-fired generating facility. As discussed in the Application and in the EA, the Project is being proposed to meet a portion of the up to 300 MW of regional solar or net-zero generation that the Commission ordered Minnesota Power to acquire in the 2021 Integrated Resource Plan.⁷ Further, the Project maximizes the use of the Boswell Energy Center transmission interconnection, maximizing the value of this resource for the Company's customers.

As to the future of the Boswell Energy Center, other resources to be deployed in the region, or the integrity of the regional transmission system, each of these issues are consistently evaluated by the Commission in separate dockets, such as the Company's Integrated Resource Plan⁸ and Minnesota Biennial Transmission Planning⁹ and transmission planning efforts undertaken by the Midcontinent Independent System Operator, Inc. For the Project, it is important to note that the transmission line being constructed is needed to connect the Project to the existing Boswell Energy Center interconnection, which has sufficient capacity for the Project.¹⁰

Please contact me with any questions.

Sincerely,

Taft Stettinius & Hollister LLP



Kodi J. Verhalen

⁷ *In the Matter of Minnesota Power's 2021-2035 Integrated Resource Plan*, Docket No. E015/RP-21-33, ORDER APPROVING PLAN AND SETTING ADDITIONAL REQUIREMENTS (Jan. 9, 2023)

⁸ *In the Matter of Minnesota Power's Application for Approval of its 2025-2039 Integrated Resource Plan*, Docket No. E015/RP-25-127, 2025-2039 INTEGRATED RESOURCE PLAN (Mar. 3, 2025).

⁹ *In the Matter of the 2023 Minnesota Biennial Transmission Projects Report*, Docket No. E999/M-23-91, 2023 BIENNIAL TRANSMISSION PROJECTS REPORT (Nov. 1, 2023); *In the Matter of the 2023 Minnesota Biennial Transmission Projects Report*, Docket No. E999/M-23-91, ORDER at Order Point 6 (June 7, 2024).

¹⁰ *In the Matter of the Petition of Minnesota Power for Approval of Investments and Expenditures in the Boswell Solar Project for Recovery through Minnesota Power's Renewable Resources Rider under Minn. Stat. § 216B.1645*, Docket No. E015/M-24-344, PETITION FOR APPROVAL at 15 (Nov. 13, 2024).