

The Commission met on **Thursday, June 17, 2021**, with Chair Sieben and Commissioners Means, Schuerger, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

PL-9/CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Proposed Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

Chair Sieben moved that the Commission take the following actions:

1. Deny the Motion for Clarification of Prior Order Dated January 23, 2019, Approving Compliance Filings as Modified and Denying Motion.
2. Require Enbridge Energy, Limited Partnership (Enbridge) to send a letter to all landowners who have not yet elected whether to proceed with deactivation-in-place or removal, reminding them of the availability of the Independent Third-Party Engineer at Enbridge's expense, and the availability of independent paid mediation to resolve disputes between landowners and Enbridge regarding operation of the program. The letter shall be drafted by Enbridge, in consultation with the Energy Environmental Review and Analysis staff (EERA) of the Minnesota Department of Commerce (DOC). The draft letter shall be filed with the Commission within 14 days. The Commission delegates to the Executive Secretary authority to approve the form of the letter. Upon approval by the Executive Secretary, Enbridge shall mail the letter to all landowners who have yet to make a formal election under the program. The letter, at a minimum, should provide: (1) contact information and reiterate the role of DOC EERA as the program liaison; (2) detailed information on what services the Third-Party Engineer can provide to landowners to assist with their decision-making; (3) detailed instructions on how landowners can access the services of the Third-Party Engineer; and (4) information regarding the availability of mediation paid by Enbridge to resolve disputes.
3. Require Enbridge to send a separate letter to all landowners who have selected removal providing the same information fashioned to specifically address their situation with the same conditions noted in the above requirement.

The motion passed 5–0.

IP-7013/WS-19-619

In the Matter of the Application of Big Bend Wind, LLC for a Large Wind Energy Conversion System Site Permit for the up to 308 MW Big Bend Wind Project in Cottonwood and Watonwan Counties, Minnesota

IP-7013/TL-19-621

In the Matter of the Application of Big Bend Wind, LLC for a Route Permit for a 161 kV High Voltage Transmission Line in Cottonwood, Watonwan and Martin Counties, Minnesota

IP-7014/GS-19-620

In the Matter of the Application of Red Rock Solar, LLC for a Site Permit for the up to 60 MW Red Rock Solar Project in Cottonwood County, Minnesota

Commissioner Tuma moved that the Commission do the following:

1. Propose additional route alternatives or route segment alternatives for the transmission line, including the route segment alternative described in the public comment by Kent Scholl filed on June 14, 2021 in Docket No. IP-7013/TL-19-621.
2. Issue the draft site permit proposed by the Minnesota Department of Commerce (DOC).
3. Authorize Commission staff to modify the draft site permit to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final order in the matter.

The motion passed 5–0.

E-999/M-17-123

In the Matter of the Department of Commerce Workgroup on Wind and Solar Facilities

Chair Sieben moved that the Commission take the following actions:

1. Request that Energy Environmental Review & Analysis unit of the DOC (DOC EERA) develop guidance materials or best practices to address issues discussed throughout this docket, including but not limited to the following:
 - eFiling of decommissioning plans with wind and solar site permit applications (required for wind pursuant to Minn. Rule 7854.0500, subp. 13; new for solar)
 - Decommissioning plans eFiling recommendations (as standalone documents and public filing status)
 - The level of detailed content provided in decommissioning plans at initial application
 - Financial surety instruments and funding timeline
 - Financial surety for projects without long power purchase agreements.

- Decommission cost estimates provided by a knowledgeable third party
 - Disclosure of the surety beneficiary and procedures for notice of a change in surety beneficiary
 - Recycling and reclamation plan content
 - Agency coordination considerations and roles
 - Post-decommissioning completion reports from permittees
2. Request the DOC EERA follow the decommission plan review order as established by this record; if any modifications are necessary, that DOC EERA submit a letter into this record informing the Commission of any adjustments to the timing or project list (or other pertinent information).
 3. Include in draft permits terms addressing preparation of financial instruments and submission to the Commission for review and approval at an appropriate time.
 4. Request, via order, that DOC EERA initiate all decommission plan reviews.
 5. Request, via order, that DOC EERA file a summary of the status of wind and solar decommissioning plan activities and developments in decommissioning best practices in Docket No. E-999/M-17-123.
 6. Request that DOC EERA file a memorandum describing forms of and language of financial sureties that secure the obligation to remediate environmental impacts and restore sites. The memo would survey and provide citations to statutes, rules and internal guidance used by other state agencies for surety instruments for these or similar purposes. The memo is also requested to include practices regarding financial surety instruments used in other states for decommissioning of solar and wind farms. The memo is requested to be filed on or before September 18, 2021.

The motion passed 5–0.

E-134, E-210/C-20-770

In the Matter of the Complaint by Red River Valley Cooperative Power Association arising from an Assigned Service Area Violation by the City of Barnesville and Barnesville Municipal Power

Chair Sieben moved that the Commission do the following:

1. Approve the Settlement Agreement and Mutual Release and request that the Minnesota Geospatial Information Office update the Commission’s maps to reflect the service area designations as shown on the map provided in the Settlement Agreement and Mutual Release.

2. Require the service-by-exception agreements as identified in paragraphs 2 and 3 of the Settlement Agreement to be filed separately from the Settlement Agreement (including but not limited to those properties identified in Exhibit B of the Settlement Agreement).

The motion passed 5–0.

P-999/CI-20-747

In the Matter of a Commission Inquiry into the Advertising, Outreach, and Offering of Lifeline by High Cost ETCs

Commissioner Tuma moved that the Commission take the following actions:

1. Determine that the following are best practices regarding advertising the Lifeline program for high-cost eligible telecommunications carriers (ETCs):
 - A. A website that meets the following criteria:
 - information within three clicks
 - searchable keywords
 - periodic functionality checks
 - all plan information displayed
 - continual updates
 - B. Social media accounts
 - C. Regular outreach to social service agencies
 - D. Assign one employee to act as a Lifeline Champion, or train all employees on Lifeline at larger ETCs
 - E. Community outreach through various means
 - F. Tribal outreach
 - G. Diverse and disabled population outreach
 - H. Lifeline information on all disconnection notices
 - I. Paper materials in various formats
 - J. Participation in Lifeline Awareness Week

2. Direct companies to follow the above best practices to the maximum possible extent, and also file a narrative of their Lifeline outreach efforts with their filings of Federal Communications Commission (FCC) Form 481. The companies' compliance with best practices (or reasons for non-compliance) will be reviewed in the FCC Form 481 filings in Docket No. P-999/PR-21-8, *In the Matter of Annual Certification Related to Eligible Telecommunications Carrier's (ETCs) Use of the Federal Universal Service Support Required Pursuant to C.F.R. 54.313*, when the Commission considers recertification of high-cost ETCs.

The motion passed 5–0.

E-002/C-21-160

In the Matter of a Formal Complaint and Petition for Expedited Relief by Sunrise Energy Ventures LLC Against Northern States Power Company d/b/a Xcel Energy

Commissioner Schuerger moved that the Commission do the following:

1. Find the Commission has jurisdiction over the issues raised in the complaint filed by Sunrise Energy Ventures LLC.
2. Find that there are not reasonable grounds to proceed with an investigation of the complaint pursuant to Minn. Rules 7829.1900 and dismiss the complaint.

The motion passed 5–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: September 15, 2021



Will Seuffert, Executive Secretary