

NOTICE OF COMMENT PERIOD

Issued: October 13, 2023

In the Matter of the Application of Dairyland Power Cooperative to Relocate an Existing 161 kV Transmission Line in Wabasha County, Minnesota.

RE: Petition for Interpretation of Certificate of Need Requirements

PUC Docket Number(s): ET3/TL-23-388

Comment Period: Initial comment period closes November 2, 2023 at 4:30pm
Reply comment period closes November 9, 2023 at 4:30pm

Comments received after the close of the comment period may or may not be considered by the Commission.

Topic(s) Open for Comment:

- Is a certificate of need required under Minn. Stat. § 216B.243 for Dairyland's proposed 161-kV transmission line relocation project?

Background

On September 18, 2023, Dairyland Power Cooperative (Dairyland) gave the Commission notice of plans to file a route permit application under the alternative review process for a 161-kV Relocation Project. The proposed Project will relocate an existing 10.4 mile 161-kV line to a new 13-mile right-of-way route. Dairyland proposes to file a route permit application on or before April 2, 2024, and is seeking clarification on whether they must also apply for a certificate of need (CN) under Minn. Stat. § 216B.243.

The purpose of the proposed relocation project is to make room for the MISO-approved Mankato to Mississippi 345-kV Transmission project. This new 345-kV line would utilize the double circuit capability of the CapX2020 system between North Rochester, Minnesota, and Alma, Wisconsin. Therefore, the 161-kV circuit must be removed and relocated from the CapX2020 structures to allow the second circuit to be operated at 345-kV. Currently, the Dairyland 161-kV line is co-located alongside Hampton-Rochester-La Crosse 345-kV line (CapX2020 Project). However, the CapX2020 Project was constructed to be capable of carrying two circuits of 345-kV lines. Dairyland's proposed relocation Project must be completed before the proposed Mankato to Mississippi 345 kV Transmission Project can begin construction.

Under Minn. Stat. § 216B.243, a certificate of need (CN) is required for any high-voltage transmission line with a capacity of 100 kilovolts or more with more than ten miles of its length in Minnesota or that crosses a state line. Pursuant to Minn. Stat. §§ 216A.05, 216B.08, 216B.243, and Minn. R. 7829.1300, Dairyland is asserting, among other arguments, that because the proposed Project is a relocated line that will be built and operated at the pre-existing 161 kV capacity, the Project is not a “new” or “expanded” transmission line.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to efile documents using the Commission’s electronic filing system (eFiling). All parties, participants, and interested persons are encouraged to use eFiling at:
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Submit Public Comments:

Online: <https://mn.gov/puc/get-involved/public-comments/>, and follow the instructions.

Email: consumer.puc@state.mn.us

U.S. Mail: Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul MN 55101

Full Case Record: See all documents filed in this matter on the Commission’s website at: mn.gov/puc/edockets, select *Go to eDockets Project Database*, enter the year (23) and the docket number (388), and select *Search*.

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Questions about this docket or Commission process and procedure? Contact Commission staff, Cezar Panait at cezarc.panait@state.mn.us or 651.201.2207, & Trevor Culbertson at trevor.culbertson@state.mn.us or 651-201-2200

Change your mailing preferences: Email docketing.puc@state.mn.us or call Leesa Norton at 651-201-2246.

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CERTIFICATE OF SERVICE

I, Mai Choua Xiong, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

Minnesota Public Utilities Commission NOTICE OF COMMENT PERIOD

Docket Number **ET3/TL-23-388**

Dated this 13th day of October, 2023

/s/ Mai Choua Xiong

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