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September 16, 2025

Sasha Bergman
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Via E-Filing

**Re: Reply Comments of Minnesota Power and American Transmission Company LLC – Exemption Request
Docket No. E015/CN-25-111**

Dear Ms. Bergman:

Minnesota Power and American Transmission Company LLC by and through its corporate manager ATC Management Inc. (“ATC”) (collectively the “Applicants”) respectfully submit these Reply Comments to the Initial Comments filed by the Minnesota Department of Commerce, Division of Energy Resources (“Department”) and No CapX 2020 and World Organization for Landowner Freedom (collectively, “No CapX”) on the Applicants’ Exemption Request for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Project (“Project”).

Department Comments on the Exemption Request

In its Comments on the Exemption Request, the Department recommended approval of the Applicants’ proposed exemptions from certain data requirements for Certificate of Need applications, with one modification.¹ Specifically, regarding the Applicants’ requested exemption from data required by Minn. R. 7849.0280, the Department recommended that the Commission modify the requested exemption and approve only the requested exemption to Minn. R. 7849.0280, Subps. (B) through (I).²

The Applicants appreciate the Department’s review. In light of the Department’s recommendation, the Applicants modify their request to be exempt from 7849.0280, Subp. (A) and, instead, request that they be allowed to provide alternative data. Minnesota Power proposes to provide a copy of Minnesota Power’s Annual Forecast

¹ *In the Matter of the Application for a Certificate of Need for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Line Project*, Docket No. E015/CN-25-111, Comments of the Minnesota Department of Commerce (August 27, 2025) (eDocket No. [20258-222450-02](https://www.sos.state.mn.us/eDocket/20258-222450-02)).

² *Id.* at 7 and 10.

Report (“AFR”). The Commission has previously approved the use of AFRs as substitute information for Minn. R. 7849.0280, Subp. (A).³ Minnesota Power’s AFR will specify its short- and long-term energy demand forecasts and the facilities necessary to meet the demand. ATC proposes to provide load forecast information from its most recent 10-year assessment.⁴ The Applicants will also discuss other forecast information used by the Applicants or the Midcontinent Independent System Operator, Inc. (“MISO”) in analyzing the need for the Project in the Certificate of Need Application.

No CapX Comments on Applicants’ Request for Exemptions

No CapX takes issue with the fact that the Applicants cite as support for their exemption requests the Commission has previously granted such exemption requests in other dockets.⁵ First, this is not the only rationale put forth by the Applicants to support these exemption requests. For each exemption request, the Applicants explained why the data required by the rule is unnecessary to determining the need for the Project or would be better satisfied by providing alternative data.⁶ Applicants noted that these exemption requests had been granted by the Commission for previous projects to highlight that each of the exemptions have been carefully considered by both the Commission and the Department and both have concluded that full exemptions are appropriate or substitute information is sufficient for purposes of evaluating the need for a high-voltage transmission line project. Finally, No CapX seems to allege that the Applicants are requesting certain exemptions to rely solely on MISO’s need analysis to support the need for the Project. This is not the case. The rules that set forth Certificate of Need Application requirements were promulgated at a time when transmission planning was undertaken at the utility level. The Project, instead, is a regional project that has been analyzed by utilities and MISO in great detail. The Applicants are not requesting any of these exemptions on the premise that the authority to analyze the need for a project should be done solely by MISO; instead, the exemptions are requested to ensure that the information provided for the Project are reflective of the Project purpose and need to allow for the Department, the Commission, and other interested persons to complete the full need analysis under Minnesota law.

The Applicants respectfully request that the Commission reject each of No CapX’s recommendations with respect to the requested exemptions and grant the Applicants’ requested exemptions.

³ *In the Matter of the Application for a Certificate of Need for the 345 kV Northland Reliability Transmission Line Project*, Docket No. E015,ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND NOTICE PLAN at 1 and 8 (June 21, 2023) (eDocket No. [20236-196704-01](#)).

⁴ The 2023 information is available on ATC’s website at <https://www.atc10yearplan.com/about/planning-methodology-and-assumptions/>. The Applicants anticipate that this will be updated to the 2024 information by the time the Application is filed.

⁵ *In the Matter of the Application for a Certificate of Need for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Line Project*, Docket No. E015/CN-25-111, Comments of No CapX at 2-5 (August 27, 2025) (eDocket No. [20258-222486-01](#)).

⁶ Minn. R. 7849.0200, subp. 6.

No CapX Comments on Additional Notice Related to the 800 MVA Limitation

No CapX objects to the scope of notice related to the 800 MVA threshold and requests that additional notice lists be served with the filing summary of the Certificate of Need in this proceeding including on dockets E015/CN-22-607, E015/TL-22-611, and MP-HVTL-EA-1-99.⁷ First, notice of filing of a Certificate of Need Application must be provided to the Department, the Office of the Attorney General, those persons on the applicable general service list, and those persons who were parties to the utility's last rate case or incentive plan proceeding.⁸ The Applicants are proposing to expand the scope of notice to include those persons who are on the service lists maintained for the Commission Dockets that relate to the use and ownership of the particular piece of equipment on which the 800 MVA limitation has been placed.⁹

No CapX's recommendation to provide notice to the Minnesota Environmental Quality Board Docket MP-HVTL-EA-1-99 would not be prudent given that this list is no longer maintained and any information on that service list would be more than 20 years old. However, records show that the parties to that proceeding were the Department of Commerce, the North American Water Office, the World Organization for Landowners Freedom, and Save Our Unique Lands. These parties are already included in the Commission's currently-maintained service list for Commission Docket No. E015/PA-04-2020, which the Applicants have proposed to notify of the filing of the Certificate of Need for this Project by providing a copy of the filing summary.

As to Commission Docket Nos. E015/CN-22-607 and E015/TL-22-611, while the 800 MVA limitation was raised over the course of that proceeding, it was in the context that the parties who would be interested in that issue were not parties to that docket and, therefore, no changes should be made to the 800 MVA limitation on the ATC Arrowhead 345 kV Substation transformer. Further, the rules do not contemplate providing notice of a Certificate of Need Application to a high-voltage transmission line routing docket, such as E015/TL-22-611. As a result, there is no need to include these parties in the required notices for this Project.

The Applicants respectfully request that they not be required to serve the summary of filing on the additional dockets identified by No CapX.

⁷ *In the Matter of the Application for a Certificate of Need for the Iron Range – St. Louis County – Arrowhead 345 kV Transmission Line Project*, Docket No. E015/CN-25-111, Comments of No CapX (August 27, 2025) (eDocket No. [20258-222486-01](#)).

⁸ Minn. R. 7829.2500, Subps. 2-3.

⁹ These are Docket Nos. E015/PA-04-2020 and E015/AI-11-75.

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Conclusion

If you have questions or need additional information, please contact Jackson Evans, Minnesota Power's legal counsel at jjevans@allete.com or 612.516.0682, or Eric Swanson, ATC's legal counsel at eswanson@winthrop.com or 612.604.6511.

Sincerely,

/s/ Jackson Evans
Jackson J. Evans
Minnesota Power
FERC Counsel

/s/ Eric F. Swanson
Eric F. Swanson
Winthrop & Weinstine, P.A.
Counsel for ATC

cc: Service List