

## BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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In the Matter of the Application of Minnesota  
Power for a Certificate of Need for the HVDC  
Modernization Project in Hermantown,  
Saint Louis County

MPUC Docket No. E-015/CN-22-607

In the Matter of the Application of Minnesota  
Power for a Route Permit for a High Voltage  
Transmission Line for the HVDC  
Modernization Project in Hermantown,  
Saint Louis County

MPUC Docket No. E-015/TL-22-611

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### PETITION TO INTERVENE

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Pursuant to Minn. R. 1400.6200, 1405.0900, 7829.0800, American Transmission Company LLC, by its corporate manager ATC Management Inc. (collectively, “ATC”), respectfully petitions to intervene as a party in the above-captioned proceedings. In support of this petition, ATC states as follows:

1. ATC was founded and organized in 2001, pursuant to Wisconsin law, as the first multi-state transmission-only utility.<sup>1</sup> It is privately owned by 27 different utilities and electric cooperatives from Wisconsin, Michigan, Minnesota, and Illinois, including ALLETE, Inc., and has its principal place of business located at W324 N2000 Ridgeview Parkway Court, Waukesha, Wisconsin 53188.

2. ATC’s sole purpose is to plan, construct, operate, maintain, and expand the high-voltage electric transmission system in portions of Wisconsin, Michigan, Minnesota, and Illinois.<sup>2</sup> ATC currently owns, operates, and maintains over 10,000 miles of electric transmission lines and more than 580 electric substations. ATC is also a transmission-owning member of the

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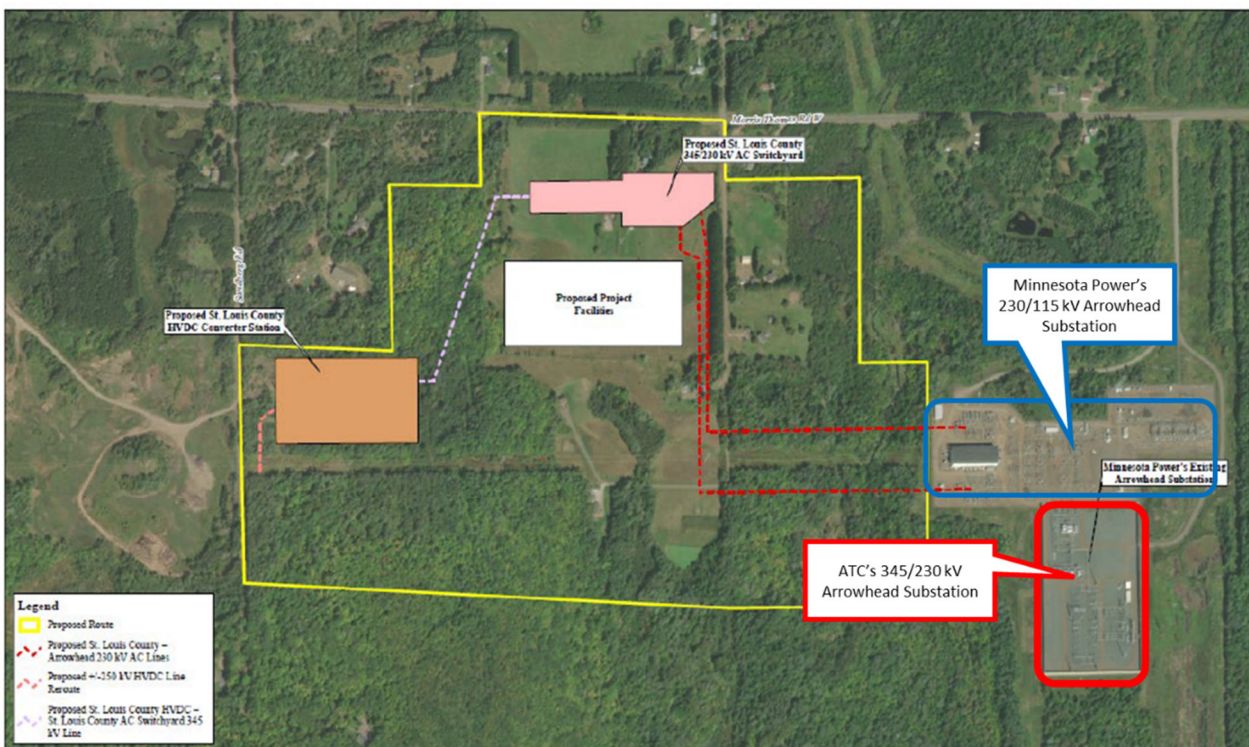
<sup>1</sup> Wis. Stat. § 196.485(3m).

<sup>2</sup> Wis. Stat. §§ 196.485(1)(ge), 196.485(3m)(b)1.–2.

Midcontinent Independent System Operator, Inc. (“MISO”). MISO is an independent, non-profit, regional transmission organization that the Federal Energy Regulatory Commission has designated as responsible for overseeing, operating, and planning the high-voltage transmission system across 15 states in the Midwest, including Minnesota and Wisconsin.

3. In Minnesota, ATC owns the Arrowhead 345/230-kV Substation located in Hermantown, while Minnesota Power (“MP” or “Applicant”) owns the adjoining Arrowhead 230/115-kV Substation. ATC also owns in Minnesota an approximately 12-mile 345-kV transmission line running generally south and east from the Arrowhead Substation to the Minnesota-Wisconsin border, which connects to ATC’s transmission system in Wisconsin. The figure below is from MP’s Application in this proceeding (Figure 2-1). ATC added the red and blue labels in the lower right area of the figure to clarify the location of ATC’s 345/230-kV Arrowhead Substation (in red) and the Applicant’s 230/115-kV Arrowhead Substation (in blue).

**Figure 2-1 – HVDC Modernization Project Route**



4. The ownership, operation, maintenance, and interconnection of ATC's 345/230-kV Arrowhead Substation and the Applicant's 230/115-kV Arrowhead Substation is governed by an ownership and cost sharing agreement and transmission interconnection agreement that ATC and the Applicant executed in 2008. Both ATC and MP have transferred functional control of these substations to MISO.<sup>3</sup>

5. In these proceedings, the Applicant is seeking a certificate of need and route permit to construct, modernize, and upgrade the high-voltage direct current ("HVDC") terminals associated with its 465-mile long Square Butte HVDC transmission line.<sup>4</sup> The Applicant states that this project would involve (among other things) the construction of (1) a new St. Louis County 345-kV Substation, less than one mile west of ATC's 345-kV Arrowhead Substation, and (2) two new, parallel 230-kV large high-voltage transmission lines of less than one mile in length, which would connect the new St. Louis County Substation and MP's 230/115-kV Arrowhead Substation.<sup>5</sup>

6. Given this project scope, ATC has a substantial interest in the outcome of these proceedings that cannot be adequately represented by any other party and otherwise satisfies the criteria for intervention under Minn. R. 1400.6200, 1405.0900, and 7829.0800.

7. *First*, ATC is specifically considered or declared by statute to be interested in this proceeding.<sup>6</sup> As noted above, ATC is a utility that owns or operates high-voltage transmission lines in the state of Minnesota (i.e., it is a Minnesota Transmission Owner) and was organized

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<sup>3</sup> See *Transferred Transmission Facilities*, MISO (last accessed Aug. 7, 2023), available at <https://tinyurl.com/4hheknjv> (reference "ALLETE\_MP\_SWLPC Transferred Facilities 2022.xlsx" and "American Transmission Company Transferred Facilities 2022.xlsx").

<sup>4</sup> See *Certificate of Need & Route Permit Application for the HVDC Modernization Project – Minnesota Power*, Docket Nos. E015/TL-22-611 & E015/CN-22-607, at 2–3 (Jun. 2023) (Doc. ID 20236-196333-03), available at <https://tinyurl.com/pmpywspf>.

<sup>5</sup> *Id.*

<sup>6</sup> See Minn. R. 1400.6200, Subp. 1; Minn. R. 1405.0900, Subp. 1; Minn. R. 7829.0800, Subp. 2.

pursuant to Wisconsin law with the sole purpose of planning, constructing, operating, maintaining, and expanding the high-voltage transmission system to provide adequate and reliable transmission service that meets the needs of all users. The transmission facilities that ATC owns and operates to serve this purpose could be impacted by the outcome of these proceedings. Accordingly, it is appropriate for ATC to intervene as a party, given its statutorily defined objectives and the impact this proceeding could have on its facilities.

8. *Second*, the outcome of these proceedings could directly affect ATC and its legal rights, duties and privileges.<sup>7</sup> As part of the HVDC modernization project, the Applicant is proposing to construct a new 345/230-kV St. Louis County Substation adjacent to ATC's 345/230-kV Arrowhead Substation and to connect the new St. Louis County Substation with MP's 230/115-kV Arrowhead Substation. Pursuant to several agreements that ATC has entered into with the Applicant, ATC has certain obligations regarding owning, operating, and/or maintaining certain equipment and facilities within both Arrowhead Substations. ATC's intervention in these proceedings is therefore appropriate, since these equipment and facilities and ATC's obligations under those agreements could be impacted by the Applicant's proposed project.

9. *Third*, ATC's interests are not adequately represented by any other party.<sup>8</sup> As discussed above, ATC has a distinct interest in its Arrowhead 345/230 kV Substation. ATC is in the best position to present information regarding the impact of the project on its Arrowhead 345/230 kV Substation and how the Applicant may be able to utilize facilities within ATC's 345/230 kV Arrowhead Substation to support its proposed project. Given ATC's unique stake in and perspective regarding the Arrowhead 345/230 kV Substation and associated facilities, no other party can adequately represent ATC's interests in this proceeding.

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

10. ATC agrees to accept service by electronic means through the individuals identified

below:

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For the reasons set forth above, ATC respectfully petitions for leave to intervene as a party in these proceedings.

Respectfully submitted this 9th day of August, 2023.

**PERKINS COIE LLP**

/s/David R. Zoppo

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## **CERTIFICATE OF SERVICE**

I, David R. Zoppo, hereby certify that I have this day served a true and correct copy of the following document(s) by electronic filing, electronic mail, courier, interoffice mail, or by depositing the same enveloped with postage paid in the United States to all persons at the addresses indicated below or on the attached Service List on file with the Minnesota Public Utilities Commission in the below referenced dockets.

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Dated this 9th day of August, 2023

/s/ David R. Zoppo \_\_\_\_\_  
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