

CAH Docket No. 5-2500-40519
PUC Docket No. ET-6675/TL-24-232

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of ITC
Midwest LLC for a Route Permit for the
161 kV Transmission Line from Forks
Substation to Rost Substation in Jackson
County, Minnesota

**ADMINISTRATIVE LAW JUDGE'S
FULL REPORT**

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**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
RECOMMENDATIONS**

This matter was assigned to Administrative Law Judge Jim Mortenson to prepare a full report and recommendations to the Public Utilities Commission (PUC or Commission) on the Route Permit Application (Application) of ITC Midwest LLC (ITC Midwest or Applicant) to construct a new 8.5 mile long 161 kilovolt (kV) transmission line from the new Forks Switching Station to the new Rost Substation in Jackson County, Minnesota (Project). The Project will also include construction of the new Forks Switching Station southwest of the City of Lakefield, Minnesota.

Public hearings on the Application were held on May 13, 2025 (in-person) and May 14, 2025 (remote-access). The factual record remained open until June 6, 2025, for the receipt of written public comments.

Valerie Herring, Taft Stettinius & Hollister LLP, Holly Fisher, Senior Counsel – Capital Projects and Maintenance, and Mike Frank, Local Government & Community Affairs Manager, appeared on behalf of ITC Midwest LLC.

Katherine Arnold, Assistant Attorney General, appeared on behalf of the Department of Commerce, Energy Environmental Analysis Review (EERA) unit, along with Larry Hartman, Environmental Review Manager.¹

Jacques Harvieux, Principal Planner, appeared on behalf of the Commission staff.

STATEMENT OF ISSUES

Has ITC Midwest satisfied the criteria established in Minn. Stat. Ch. 216E and Minn. R. Ch. 7850 for a Route Permit for the Project?

¹ The EERA unit was moved to the PUC in July 2025, and Hartman moved with it. The unit is now part of the PUC's Energy Infrastructure Permitting unit (EIP).

SUMMARY OF RECOMMENDATIONS

ITC Midwest satisfied the applicable legal requirements. The Commission should **GRANT** a Route Permit for the Project, subject to the conditions discussed below.

Based on the evidence in the hearing record, the Judge makes the following:

FINDINGS OF FACT

I. APPLICANT

1. ITC Midwest is a subsidiary of ITC Holding Corp., the largest independent electricity transmission company in the U.S., with operations in seven states.² ITC Midwest operates more than 6,600 circuit miles of transmission lines in Iowa, Minnesota, Illinois, Missouri, and Wisconsin.³ ITC Midwest connects a variety of customers at transmission-level voltages.⁴ These include large generation and distribution utilities, municipal utility systems, rural electric utility cooperatives, and large commercial and industrial customers that require high-voltage electricity.⁵ ITC Midwest is headquartered in Cedar Rapids, Iowa, and maintains warehouses in Dubuque, Iowa City, and Perry, Iowa, and Albert Lea and Lakefield, Minnesota.⁶

II. PROCEDURAL HISTORY

2. The Minnesota Power Plant Siting Act (PPSA) provides that no person may construct a high voltage transmission line (HVTL) without a Route Permit from the Commission.⁷ Under the PPSA, an HVTL includes a transmission line that is 100 kV or more and is greater than 1,500 feet in length.⁸ The proposed 161 kV transmission line is an HVTL greater than that 100 kV threshold and is greater than 1,500 feet in length and, therefore, a Route Permit is required from the Commission prior to construction.⁹

3. The Commission's rules establish two tracks for the permitting of a HVTL. The "full permitting process" includes preparing an environmental impact statement (EIS) and holding a contested case hearing.¹⁰ The "alternative permitting process" is available to, among other HVTLs, HVTLs which operate at a voltage between 100 and 200 kV; this process requires an Environmental Assessment (EA) instead of an EIS and a public hearing instead of a contested case hearing.¹¹

² Ex. ITC-103 at 1 (Application).

³ Ex. ITC-103 at 1 (Application).

⁴ Ex. ITC-103 at 1 (Application).

⁵ Ex. ITC-103 at 1 (Application).

⁶ Ex. ITC-103 at 1 (Application).

⁷ Minn. Stat. § 216E.03, subd. 2.

⁸ Minn. Stat. § 216E.01, subd. 4.

⁹ Ex. ITC-103 at 1 (Application).

¹⁰ See Minn. R. 7850.1700-.2700 (full permitting procedures).

¹¹ See Minn. R. 7850.2800-.3900 (alternative permitting procedures).

4. Because Applicant's proposed transmission line would operate at a voltage between 100 kV and 200 kV, it is eligible for the alternative permitting process.¹²

5. On July 30, 2024, Applicant filed with the Commission a notice that Applicant intended to apply for a Route Permit for the Project and intended to use the alternative permitting process.¹³

6. On September 30, 2024, ITC Midwest submitted the Application for the Project.¹⁴

7. On October 4, 2024, the Commission issued a Notice of Comment Period regarding the completeness of the Application, requesting initial comments by October 18, 2024, reply comments by October 25, 2024, and supplemental comments by November 1, 2024. The notice requested comments on whether the Application was complete within the meaning of the Commission's rules; whether there were contested issues of fact with respect to the representations made in the Application; whether the Application should be evaluated using the Commission's informal process or referred to the Office of Administrative Hearings¹⁵ for contested case proceedings; whether an advisory task force should be appointed; whether the Commission should direct the Executive Secretary to issue an authorization to initiate consultation with the State Historic Preservation Office (SHPO) to the Applicant; and whether there were any other issues or concerns that should be considered.¹⁶

8. On October 7, 2024, the Applicant filed Affidavits of Mailing for sending paper copies of the Application to the Commission, Minnesota Department of Commerce staff, and to the Lakefield Public Library.¹⁷

9. On October 11, 2024, ITC Midwest filed an updated map of the Project that included townships, section lines, and section numbers.¹⁸

10. On October 18, 2024, EERA filed its Comments and Recommendations on Application completeness. EERA recommended that the Commission accept the Application as substantially complete, take no action on an advisory task force, and request a full administrative law judge report with findings of fact, conclusions of law, and recommendations.¹⁹

11. On October 22, 2024, ITC Midwest filed copies of correspondence that it received directly from the Mille Lacs Band of Ojibwe and from the Shakopee Mdewakanton Sioux Community regarding the Application.²⁰ Mille Lacs Band of Ojibwe

¹² Minn. R. 7850.2800, subp. 1(C).

¹³ Ex. ITC-101 (Notice of Intent by ITC Midwest to Submit an Application under the Alternative Permitting Process).

¹⁴ Ex. ITC-103 (Application and Appendices A-H).

¹⁵ The legislature changed the Office of Administrative Hearings to the Court of Administrative Hearings, effective August 1, 2025. 2025 Minn. Laws ch. 39, art. 2, §17.

¹⁶ Ex. PUC-301 (Notice of Comment Period on Application Completeness).

¹⁷ Ex. ITC-105 (Affidavits of Mailing of Paper Copies of Route Permit Application).

¹⁸ Ex. ITC-106 (Updated Project Map Supplemental Filing).

¹⁹ Ex. EERA-201 (Comments on Application Completeness).

²⁰ Tribal Correspondence (Oct. 22, 2024) (eDockets No. [202410-211200-01](#)).

stated that it is interested in projects mainly in the 1837 Treaty of St. Peters (7 Stat. 536) Ceded Territory (Royce Area 242), areas within 50-miles of that territory that can impact the ceded territory, and areas where the Mille Lacs Band of Ojibwe has a large concentration of its Tribal population, and areas of its cultural properties. Since the Project is located outside of these areas and had no discernible impact of the Tribe and its interests, the Mille Lacs Band of Ojibwe stated the Project was of no interest to them.²¹ The Shakopee Mdewakanton Sioux Community's letter asked to be kept informed and for any archaeological desktop literature reviews.²²

12. On October 25, 2024, ITC Midwest submitted reply comments concerning completeness of the Application that concurred with EERA's recommendations.²³

13. On November 5, 2024, ITC Midwest submitted a Compliance Filing demonstrating that the notices required by Minn. Stat. § 216E.03, subd. 4 and Minn. R. 7850.2100, subp. 5 were published or mailed.²⁴

14. On November 7, 2024, the Commission issued proposed consent items concerning this matter.²⁵

15. On November 12, 2024, the Commission issued minutes from the November 12, 2024, consent calendar subcommittee meeting which addressed this matter.²⁶

16. On November 12, 2024, the Commission issued an order finding the Application complete, declining to appoint an advisory task force, requesting a full administrative law judge report, and delegating authority to the Executive Secretary to issue an authorization to the Applicant to initiate consultation with SHPO.²⁷

17. On November 19, 2024, the Commission published Notice of Public Information and Environmental Assessment Scoping Meetings scheduling meetings for December 4, 2024 (in-person), and December 10, 2024 (remote), opening up a public comment period until December 24, 2024, and requesting comments in response to three questions regarding the Project: (1) What potential human and environmental impacts of the proposed Project should be studied in the EA for this Project?: (2) Are there any methods to minimize, mitigate, or avoid potential impacts of the proposed Project that should be considered in the EA?; and (3) Are there any unique characteristics of the proposed Project that should be considered in the EA?²⁸

²¹ Tribal Correspondence (Oct. 22, 2024) (eDockets No. [202410-211200-01](#)).

²² Tribal Correspondence (Oct. 22, 2024) (eDockets No. [202410-211200-01](#)).

²³ Ex. ITC-108 (Reply Comments on Completeness of Application).

²⁴ Ex. ITC-109 (Notice Compliance Filing for Route Permit Application).

²⁵ Ex. PUC-302 (Proposed Consent Items).

²⁶ Ex. PUC-304 (Minutes – November 12, 2024 Consent).

²⁷ Ex. PUC-303 (Order).

²⁸ Ex. PUC-305 (Notice of Public Information and Environmental Assessment Scoping Meeting).

18. On November 19, 2024, Notice of Public Information and Environmental Assessment Scoping Meetings was published in the Minnesota Environmental Quality Board (EQB) Monitor.²⁹

19. On December 23, 2024, EERA filed the transcript from the in-person Public Information and EA Scoping Meeting held in Lakefield, Minnesota on December 4, 2024.³⁰ Three individuals provided comments at the public meeting.³¹

20. On December 23, 2024, EERA filed the virtual Public Information and EA Scoping Meeting held via Webex and telephone on December 10, 2024. One person provided comments at the public meeting.³²

21. On December 24, 2024, the Minnesota Department of Natural Resources (DNR) filed comments regarding potential environmental impacts that should be considered in the EA for the Project and proposed conditions for the Route Permit.³³

22. On December 27, 2024, the Administrative Law Judge issued a Notice of Prehearing Conference to be held on January 13, 2025, via telephone.³⁴

23. On January 8, 2025, EERA staff filed its EA Scoping Summary and Recommendation with the Commission.³⁵ In that filing, EERA staff recommended that route proposed by ITC Midwest in its Application (Proposed Route) be the sole routing alternative included in the scoping decision for the EA.³⁶

24. On January 13, 2025, the Administrative Law Judge convened a prehearing conference with the Applicant, Commission staff, and EERA. On January 15, 2025, the Judge issued a Prehearing Order establishing a schedule for the proceedings.³⁷

25. On January 16, 2025, the Commission issued proposed consent items.³⁸

26. On January 16, 2025, the Commission issued minutes from the January 16, 2025, consent calendar subcommittee meeting.³⁹

²⁹ Ex. PUC-314 (EQB-Scoping Meeting Notice).

³⁰ Public Information and Scoping Meeting Transcript for In-Person Meeting (Dec. 23, 2024) (eDocket No. [202412-213293-01](#)).

³¹ Public Information and Scoping Meeting Transcript for In-Person Meeting (Dec. 23, 2024) (eDocket No. [202412-213293-01](#)).

³² Public Information and Scoping Meeting Transcript for Virtual Meeting (Dec. 23, 2024) (eDockets No. [202412-213294-01](#)).

³³ DNR Comments (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

³⁴ Ex. OAH-401 (Notice of Prehearing Conference).

³⁵ Ex. EERA-204 (EA Scoping Summary and Recommendation).

³⁶ Ex. EERA-204 (EA Scoping Summary and Recommendation).

³⁷ Ex. OAH-402 (Prehearing Order). (Jan. 15, 2025).

³⁸ Ex. PUC-307 (Proposed Consent Items).

³⁹ Ex. PUC-308 (Minutes – January 16, 2025 Consent).

27. On January 21, 2025, the Commission issued an order accepting ITC Midwest's Proposed Route for the Project as the sole routing alternative included in the scoping decision for the EA.⁴⁰

28. On February 13, 2025, EERA filed the EA scoping decision for the Project.⁴¹

29. On March 20, 2025, the Commission issued an Authorization to Initiate Consultation with SHPO under Minn. Stat. § 138.665 concerning historic properties.⁴²

30. On April 29, 2025, the Commission filed Notice of Public Hearings and Availability of Environmental Assessment providing for an in-person hearing on May 13, 2025 in Lakefield, Minnesota and a virtual hearing on May 14, 2025 via Webex and telephone.⁴³ The notice stated that the purpose of the public hearings was to obtain public input on the proposed Project and compile the record for the Commission to consider in making a final decision on the route permit application.⁴⁴ Specifically, the notice stated that interested persons would have the opportunity to: (1) ask questions of state staff and the Applicant; (2) offer oral and written comments on the merits of the proposed project and on the environmental assessment; and (3) suggest possible conditions to be considered for inclusion in the route permit.⁴⁵

31. On April 29, 2025, Notice of Public Hearings and Availability of Environmental Assessment was published in the EQB Monitor.⁴⁶

32. On April 30, 2025, EERA filed the EA for the Project.⁴⁷

33. On May 13, 2025, the Administrative Law Judge held a public hearing at the Lakefield Community Center.⁴⁸ Two persons provided comments at this public hearing.⁴⁹

34. On May 14, 2025, the Administrative Law Judge held a virtual public hearing over WebEx and telephone.⁵⁰ No one provided comments at the virtual public hearing.⁵¹

35. On May 14, 2025, ITC Midwest filed an affidavit of publication for the Notice of Public Hearings and Availability of Environmental Assessment that was published in the Lakefield Standard newspaper on May 1, 2025.⁵²

36. On June 6, 2025, the EERA, on behalf of the interagency Vegetation Management Planning Working Group (VMPWG), submitted its comments on the

⁴⁰ Ex. PUC-309 (Jan. 21, 2025 Order).

⁴¹ Ex. EERA-205 (EA Scoping Decision).

⁴² Ex. PUC-311 (Authorization to Initiate Consultation under Minn. Stat. § 138.665).

⁴³ Ex. PUC-312 (Notice of Public Hearings and Availability of Environmental Assessment).

⁴⁴ Ex. PUC-312 (Notice of Public Hearings and Availability of EA).

⁴⁵ Ex. PUC-312 (Notice of Public Hearings and Availability of EA).

⁴⁶ Ex. PUC-313 (EQB-Public Hearing Notice).

⁴⁷ Ex. EERA-206 (EA).

⁴⁸ Lakefield 6:00pm Tr. at 1 (May 13, 2025).

⁴⁹ Lakefield 6:00pm Tr. at 14:9-16:25, and 17:8-18:14 (May 13, 2025) (Riley and Schmid).

⁵⁰ WebEx 6:00pm Tr. at 1 (May 14, 2025).

⁵¹ WebEx 6:00 pm Tr. at 14:22-15:10) (May 14, 2025).

⁵² Affidavit of Publication for Public Hearing Notice (May 14, 2025) (eDocket No. [20255-218924-01](#)).

Vegetation Management Plan proposed by the Applicant.⁵³ On the same day, the DNR filed comments on the EA for the Project.⁵⁴

37. On June 17, 2025, ITC Midwest filed its Response to Public Comments.⁵⁵

III. THE PROPOSED PROJECT

A. Project Summary

38. The Project involves the construction of the new Forks Switching Station southwest of the City of Lakefield, Minnesota, and a new, approximately 8.5 mile long, 161 kV high voltage transmission line from the Forks Switching Station to the new Rost Substation. The Substation was permitted and constructed as a separate project by Great River Energy.⁵⁶

B. Overview of Project Need

39. The Project is needed to mitigate existing system low voltage issues and help ensure long term reliability in the Worthington, Minnesota, area.⁵⁷ The Project is the result of a joint study between ITC Midwest, Great River Energy, and Missouri River Energy Services (MRES) to determine long-term reliability and load serving needs for the Worthington area and to identify potential upgrades for area reliability.⁵⁸

40. The existing configuration of the transmission system in the Worthington area leaves the system susceptible to low voltage conditions when certain transmission facilities are out of service.⁵⁹ The Forks-Rost 161 kV transmission line and Forks Switching Station are components of an overall area plan that will include complementary projects by MRES and Great River Energy to ensure the long-term reliability and resilience in the area's transmission system.⁶⁰ This Project, in conjunction with the MRES's Lorraine Substation project in Worthington and Great River Energy's Rost Substation project and Rost to Lorraine 69 kV transmission line project, mitigates the existing system low voltage issues and helps ensure long term area reliability when considering existing load and potential future area load growth.⁶¹

41. The Project does not require a certificate of need because it is not a "large energy facility," as defined by Minn. Stat. § 216B.2421, subd. 2.

⁵³ VMPWG Comments (June 6, 2025) (eDocket No. [20256-219668-01](#)).

⁵⁴ DNR Comment Letter (June 6, 2025) (eDocket No. [20256-219664-01](#) and [20256-219664-01](#)).

⁵⁵ ITC Midwest Response to Public Comments (June 17, 2025) (eDocket No. [20256-219971-01](#)).

⁵⁶ Ex. ITC-103 at 1 (Application); Ex. EERA-206 at 1 (EA).

⁵⁷ Ex. ITC-103 at 3 (Application).

⁵⁸ Ex. ITC-103 at 3 (Application).

⁵⁹ Ex. ITC-103 at 3 (Application).

⁶⁰ Ex. ITC-103 at 3 (Application).

⁶¹ Ex. ITC-103 at 3 (Application).

C. Transmission Line Structure Types and Conductor Design

42. The majority of the 161 kV transmission line will consist of single-circuit, braced post monopole steel structures, spaced approximately 600 to 800 feet apart.⁶² The typical pole height will range from 80 to 120 feet above ground, depending on the terrain and environmental constraints.⁶³ The average diameter of the steel structures at ground level is 3 to 5 feet.⁶⁴

43. Deadend structures will also be used in certain locations.⁶⁵ A deadend is a structure used to change direction and/or wire tension on a transmission line.⁶⁶ Deadend structures are also used as a “storm structure” to limit the number of structures damaged by a cascading effect due to higher line tensions when a pole is knocked down by a storm.⁶⁷

44. Some Project structures may be installed using a vibratory caisson foundation.⁶⁸ Vibratory caissons are a foundation type that can be used in place of typically installed direct embed structure foundations.⁶⁹ A vibratory caisson is a straight steel pole section with no bottom that is driven into the ground with a vibratory hammer.⁷⁰ The caisson is attached to the hammer, lifted into place, and dropped until it contacts the ground.⁷¹ Then, the hammer vibrates at a high frequency while applying a downward force.⁷² This foundation installation method does not produce spoils as would a drilled pier or other traditional foundation type.⁷³

45. The single circuit structures will have three single conductor phase wires and one shield wire.⁷⁴ It is anticipated that the phase wires will be “T2 Grosbeak” which consists of two aluminum conductor steel reinforced (ACSR) “Grosbeak” conductors in a twisted pair configuration, or a conductor with similar electrical capacity and mechanical strength properties.⁷⁵ The shield wire will be a 48-count optical ground wire.⁷⁶

D. Transmission Line Route Width

46. The route width is typically larger than the actual right-of-way (ROW) needed for the transmission line.⁷⁷ This additional width provides flexibility in constructing

⁶² Ex. ITC-103 at 8 (Application).

⁶³ Ex. ITC-103 at 8 (Application).

⁶⁴ Ex. ITC-103 at 8 (Application).

⁶⁵ Ex. ITC-103 at 8 (Application).

⁶⁶ Ex. ITC-103 at 8 (Application).

⁶⁷ Ex. ITC-103 at 8 (Application).

⁶⁸ Ex. ITC-103 at 8 (Application).

⁶⁹ Ex. ITC-103 at 8 (Application).

⁷⁰ Ex. ITC-103 at 8 (Application).

⁷¹ Ex. ITC-103 at 8 (Application).

⁷² Ex. ITC-103 at 8 (Application).

⁷³ Ex. ITC-103 at 8 (Application).

⁷⁴ Ex. ITC-103 at 8 (Application).

⁷⁵ Ex. ITC-103 at 8 (Application).

⁷⁶ Ex. ITC-103 at 8 (Application).

⁷⁷ Ex. EERA-206 at 14 (EA).

the line, yet is not of such extent that the placement of the line is undetermined.⁷⁸ The route width allows Applicant to work with landowners to address their concerns and to address engineering concerns that may arise after a permit is issued.⁷⁹ The route width, in combination with the anticipated alignment, is intended to balance flexibility and predictability.⁸⁰ The transmission line must be constructed within the route width designated by the Commission unless, after permit issuance, permission to proceed outside of the route width is sought by Applicant and approved by the Commission.⁸¹

47. ITC Midwest is proposing a route width of 1,500 feet (750 feet on either side of the proposed transmission centerline).⁸² ITC Midwest is requesting a route width that is wide enough to provide flexibility to make alignment adjustments during the final design to work with landowners, to avoid sensitive natural resources, and to manage construction constraints as needed.⁸³

E. Transmission Line Right-of-Way

48. The ROW is the specific area required for the safe construction and operation of the transmission line, where such safety is defined by the NESC and the NERC reliability standards.⁸⁴ The ROW must be within the designated route and is the area for which the applicant obtains rights from private landowners to construct, operate, and maintain the line.⁸⁵

49. At a minimum, the Project will require a total permanent ROW width of 100 feet (typically 50 feet on each side of the transmission centerline).⁸⁶ ITC Midwest proposes to site the Project on private land except where it crosses road ROW, and the alignment will typically be set back approximately 5 to 8 feet from road ROW.⁸⁷

50. Additional temporary workspace beyond the 100-foot-wide ROW may be required for construction at certain locations, such as at road or railroad intersections, utility crossings, along steep slopes, and at stringing locations.⁸⁸ In addition, there will be temporary staging of materials such as structures and hardware along the ROW prior to construction.⁸⁹

F. Associated Facilities

51. Associated facilities proposed for the Project include the new Forks Switching Station. The Forks Switching Station will be equipped with SF6 gas circuit breakers with current sensing transformers, voltage sensing and station service type

⁷⁸ Ex. EERA-206 at 14 (EA).

⁷⁹ Ex. EERA-206 at 14 (EA).

⁸⁰ Ex. EERA-206 at 14 (EA).

⁸¹ Ex. EERA-206 at 14 (EA).

⁸² Ex. ITC-103 at 7 (Application).

⁸³ Ex. ITC-103 at 7 (Application).

⁸⁴ Ex. EERA-206 at 14 (EA).

⁸⁵ Ex. EERA-206 at 14 (EA).

⁸⁶ Ex. ITC-103 at 7 (Application).

⁸⁷ Ex. ITC-103 at 7 (Application).

⁸⁸ Ex. EERA-206 at 15 (EA).

⁸⁹ Ex. EERA-206 at 15 (EA).

transformers, and a control enclosure which will house required relaying equipment and supervisory control and data acquisition (SCADA) equipment.⁹⁰ This equipment is designed to protect human health as well as the other equipment on the transmission system by isolating the fault and de-energizing a transmission line should any unsafe line faults occur on it, while keeping the other transmission lines connected to the Forks Switching Station in-service.⁹¹

52. The Forks Switching Station will initially have three 161 kV lines connected to it and the Forks Switching Station will have a ring bus configuration.⁹² In addition to the new Forks – Rost 161 kV line that will be constructed as part of the Project, the existing ITC Midwest Lakefield Junction – Dickinson County 161 kV line will be cut into Forks creating a Forks – Lakefield Junction and Dickinson County – Forks 161 kV lines.⁹³

53. The final area and design of the station will be determined after approval of the Route Permit, but the anticipated dimensions of the land for the Forks Switching Station will be 375 feet by 325 feet.⁹⁴

G. Project Schedule

54. ITC Midwest anticipates that it will start construction of the Project in April 2026.⁹⁵ ITC Midwest anticipates that the Project will be placed in service in December 2026.⁹⁶

H. Project Cost

55. ITC Midwest estimates that the Project will cost approximately \$13.5 to \$18.8 million to construct.⁹⁷

56. The estimated annual cost of ROW maintenance and operation of ITC Midwest's transmission lines in Minnesota currently averages about \$2,000 per mile.⁹⁸ Storm restoration, annual inspections, and ordinary replacement costs are included in these annual operation and maintenance costs.⁹⁹

I. Permittee

57. The Permittee for the Project is ITC Midwest LLC.¹⁰⁰

⁹⁰ Ex. ITC-103 at 9 (Application).

⁹¹ Ex. ITC-103 at 9 (Application).

⁹² Ex. ITC-103 at 9 (Application).

⁹³ Ex. ITC-103 at 9 (Application).

⁹⁴ Ex. ITC-103 at 18 (Application).

⁹⁵ Ex. ITC-103 at 10 (Application).

⁹⁶ Ex. ITC-103 at 10 (Application).

⁹⁷ Ex. ITC-103 at 10 (Application).

⁹⁸ Ex. ITC-103 at 10 (Application).

⁹⁹ Ex. ITC-103 at 10 (Application).

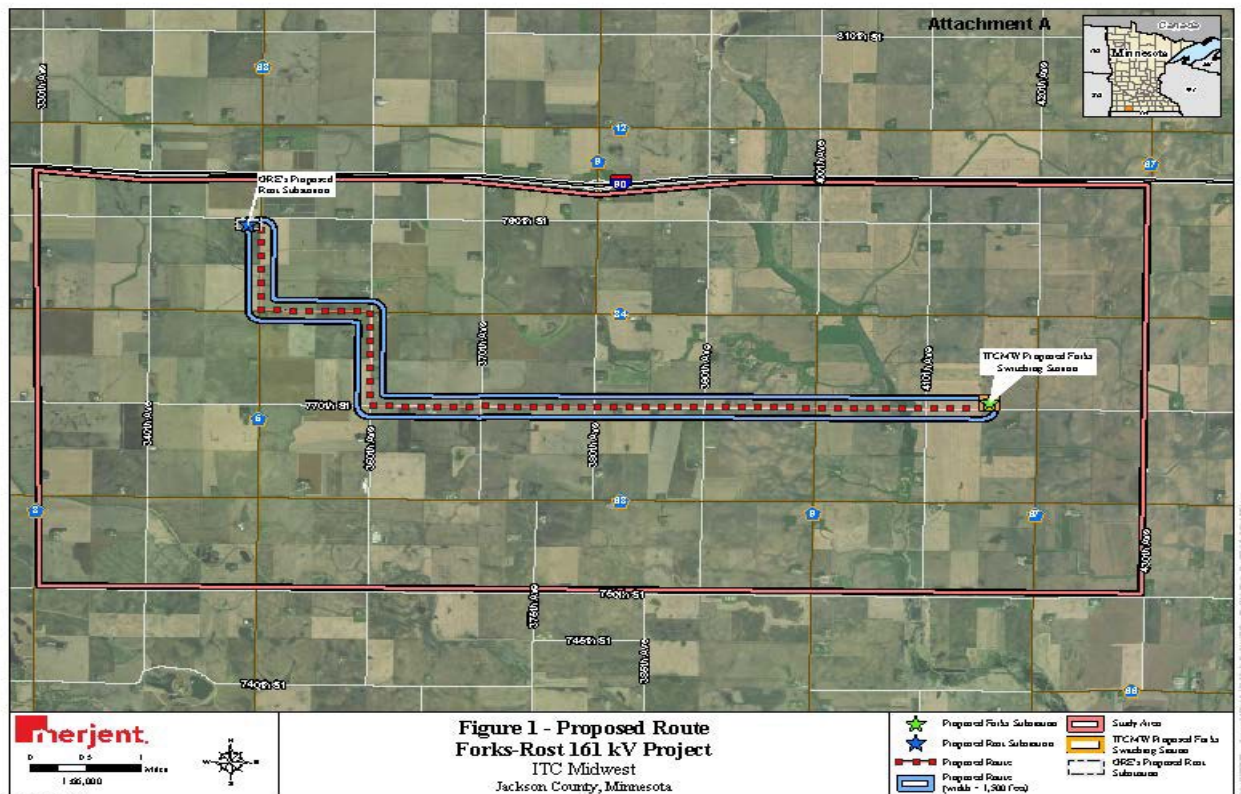
¹⁰⁰ Ex. ITC-103 at 2 (Application).

IV. ROUTES EVALUATED

A. Applicant's Proposed Route.

58. The Proposed Route for the Project will begin at the new Rost Substation, permitted and constructed separately by Great River Energy, near the intersection of County Road 5 and 790th Street in Jackson County. The 161 kV transmission line will exit the Rost Substation and run south along County Road 5 to 780th Street for approximately 1 mile, where it will turn east and run for 1 mile to 360th Avenue. The transmission line will run south on 360th Avenue for 1 mile before turning east and continuing on 770th Street for approximately 5.5 miles, where it will then enter the new Forks Switching Station on the west.¹⁰¹ The new Forks Switching Station will be constructed, owned, and operated by ITC Midwest.¹⁰² The Proposed Route is illustrated in Figure 1.¹⁰³

Figure 1. Proposed Route



¹⁰¹ Ex. ITC-103 at 7 (Application).

¹⁰² Ex. ITC-103 at 7 (Application).

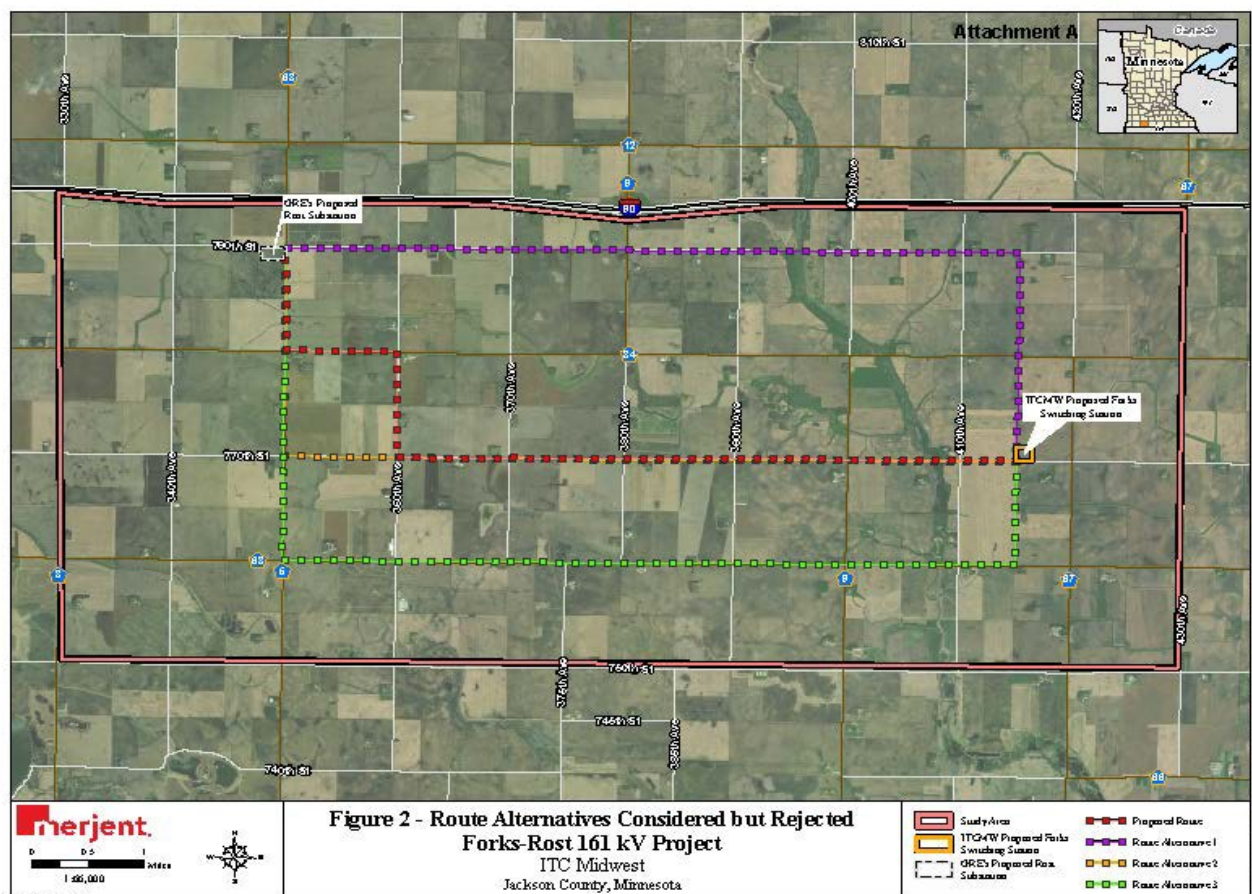
¹⁰³ Ex. ITC-103 at 4 (Application).

B. Other Routes Evaluated by Applicant.

59. Minn. Stat. § 216E.04, subd. 3, and Minn. R. 7850.3100 require an applicant to identify any alternative routes that were considered and rejected for the Project.

60. Prior to submitting the Application, ITC Midwest evaluated three alternative routes: (1) Route Alternative 1; (2) Route Alternative 2; and (3) Route Alternative 3.¹⁰⁴ The three alternative routes would be similar to the Proposed Route by including similar connection points to the new Rost Substation and the new Forks Switching Station.¹⁰⁵ The alternative routes are illustrated in Figure 2.¹⁰⁶

Figure 2. Alternative Routes



61. Route Alternative 1 is the same length as the Proposed Route, however, it would travel north from the Forks Switching Station through agricultural fields along the quarter-section line between 410th Avenue and 420th Avenue for two miles, where it would then head west along 790th Street for 6.5 miles to the connection point with the

¹⁰⁴ Ex. ITC-103 at 11 (Application).

¹⁰⁵ Ex. ITC-103 at 11 (Application).

¹⁰⁶ Letter from Mark Rothfork to Judge, Attachment A (July 25, 2025) (eDockets No. 20257-221443-01).

Rost Switching Station.¹⁰⁷ The north-south alignment of this alternative would parallel ITC Midwest's existing Lakefield Junction 161 kV transmission line, with the remaining east-west portion (6.5 miles) consisting of new construction.¹⁰⁸

62. Route Alternative 1 was rejected for two reasons. First, near the intersection of 790th Street and 400th Avenue, Route Alternative 1 would cross through or be directly adjacent to the U.S. Fish and Wildlife Service (USFWS) Ulbricht Waterfowl Production Area.¹⁰⁹ Second, Route Alternative 1 would require building two miles of 161 kV transmission line as a double-circuited line on ITC Midwest's Lakefield Junction Line, which would pose single pole contingency concerns.¹¹⁰ An outage on the Lakefield Junction 161 kV line would cause curtailment issues for several wind farms in the region.¹¹¹

63. Route Alternative 2 is the same length as the Proposed Route and parallels the Proposed Route from the Forks Switching Station to the west for 5.5 miles but would then continue along 770th Street for one mile before turning north along 350th Avenue for two miles to the connection point with the Rost Switching Station.¹¹² The two miles that this alternative route would run north-south along 350th Avenue would parallel an existing Great River Energy 69 kV transmission line.¹¹³

64. Route Alternative 2 was rejected for four reasons. First, Route Alternative 2 would require building two miles of double-circuit on a Great River Energy 69 kV transmission line, which would pose single pole contingency concerns.¹¹⁴ The double-circuiting of the proposed line on the Great River Energy line would expose the proposed 161 kV line and the Great River Energy 69 kV line to an outage risk if any of the double-circuit poles were impacted.¹¹⁵ Second, routing through the intersection of 780th Street and 350th Avenue would require modifications to a distribution substation or impact a homestead in the southeast quadrant due to the congested nature of this intersection.¹¹⁶ Third, the existing Great River Energy 69 kV line is only three years old and rebuilding this line as a double-circuit line would be an expensive and inefficient use of resources.¹¹⁷ Lastly, a wind farm tap exists along Route Alternative 2 on the west side of 350th Avenue.¹¹⁸ Maintenance on the double-circuited line would require total curtailment of the wind farm.¹¹⁹

65. Route Alternative 3 would be two miles longer than the Proposed Route.¹²⁰ This alternative would originate at the Forks Switching Station and then travel south

¹⁰⁷ Ex. ITC-103 at 11 (Application).

¹⁰⁸ Ex. ITC-103 at 11 (Application).

¹⁰⁹ Ex. ITC-103 at 11 (Application).

¹¹⁰ Ex. ITC-103 at 11 (Application).

¹¹¹ Ex. ITC-103 at 11 (Application).

¹¹² Ex. ITC-103 at 11 (Application).

¹¹³ Ex. ITC-103 at 11 (Application).

¹¹⁴ Ex. ITC-103 at 11 (Application).

¹¹⁵ Ex. ITC-103 at 11 (Application).

¹¹⁶ Ex. ITC-103 at 12 (Application).

¹¹⁷ Ex. ITC-103 at 12 (Application).

¹¹⁸ Ex. ITC-103 at 12 (Application).

¹¹⁹ Ex. ITC-103 at 12 (Application).

¹²⁰ Ex. ITC-103 at 12 (Application).

through agricultural fields along the quarter-section line between 410th Avenue and 420th Avenue for one mile, where it would then head west for 6.5 miles along 760th Street, before turning north along 350th Avenue for three miles to the connection point with the Rost Switching Station.¹²¹ The one-mile segment running north-south from the Forks Switching Station would parallel ITC Midwest's existing Lakefield Junction 161 kV transmission line.¹²² The 6.5-mile east-west segment would parallel a Great River Energy 69 kV transmission line.¹²³ The three-mile north-south segment that connects to the Rost Switching Station would also parallel a Great River Energy 69 kV transmission line.¹²⁴

66. Route Alternative 3 was rejected for various reasons.¹²⁵ Similar to Route Alternative 1, this route alternative may pose single pole contingency concerns and expose two 161 kV lines to an outage risk if any of the double-circuit poles were impacted.¹²⁶ Secondly, this route alternative would entail 9.5 miles of double-circuit on a Great River Energy 69 kV transmission line, which would pose single pole contingency concerns.¹²⁷ Third, and similar to Route Alternative 2, this route alternative may require modifications to the distribution substation or impacts a homestead at the intersection of 780th Street and 350th Avenue.¹²⁸ Also similar to Route Alternative 2, this route alternative would require rebuilding a Great River Energy 69 kV line that is only three years old, such a rebuild would be expensive and an insufficient use of resources.¹²⁹ This alternative also would require a total curtailment of the wind farm along the west side of 350th Avenue and the Route Alternative 3 would be two miles longer than the Proposed Route.¹³⁰

C. Routes Analyzed in the Environmental Assessment.

67. Consistent with EERA's scoping decision,¹³¹ the EA did not analyze route segment alternatives because none were proposed during scoping.¹³²

V. PUBLIC AND LOCAL GOVERNMENT PARTICIPATION

68. Prior to submitting the Application, ITC Midwest initiated outreach to federal, tribal, state, and local agencies through in-person meetings and Project notification letters.¹³³ ITC Midwest also engaged in outreach to potentially affected landowners by holding Open House meetings.¹³⁴

69. In August 2023, ITC Midwest mailed Project introduction letters with maps of the Project Study Area to federal, state, and local agencies whose constituents may

¹²¹ Ex. ITC-103 at 12 (Application).

¹²² Ex. ITC-103 at 12 (Application).

¹²³ Ex. ITC-103 at 12 (Application).

¹²⁴ Ex. ITC-103 at 12 (Application).

¹²⁵ Ex. ITC-103 at 12 (Application).

¹²⁶ Ex. ITC-103 at 12 (Application).

¹²⁷ Ex. ITC-103 at 12 (Application).

¹²⁸ Ex. ITC-103 at 12 (Application).

¹²⁹ Ex. ITC-103 at 12 (Application).

¹³⁰ Ex. ITC-103 at 13 (Application).

¹³¹ Ex. EERA-205 (EA Scoping Decision).

¹³² Ex. EERA-206 (EA).

¹³³ Ex. ITC-103 at 65 (Application).

¹³⁴ Ex. ITC-103 at 68 (Application).

have an interest in the Project.¹³⁵ The letter introduced the Project and requested agency input regarding public and environmental resources that may be located within the Project Study Area, or resources that could potentially be affected by the Project.¹³⁶

70. On November 20, 2023, ITC Midwest sent a letter to each local government unit within which the Proposed Route is located, as required by Minn. Stat. § 216E.03, subd. 3a.¹³⁷

71. Project introduction letters and maps were also sent to all Tribal Nations listed on the Commission's formal Tribal Engagement contact list on November 20, 2023, and December 7, 2023.¹³⁸ The letter introduced the Project and invited tribal comments and ongoing communications with Tribal sovereign nations having an historical interest in the Project Study Area.¹³⁹

72. On December 12, 2023, ITC Midwest met with Tim Stahl, Jackson County Engineer, to discuss the Project, potential routes, timelines, and plans for a public open house.¹⁴⁰

73. On January 10, 2024, ITC Midwest hosted an open house at the Lakefield Multi-Purpose Room in Lakefield, Minnesota.¹⁴¹ Landowners located within 0.25 mile of the Project Study Area received a mailer inviting them to the open house.¹⁴² Staff from ITC Midwest were on hand to describe the Project and answer questions from attendees.¹⁴³

74. After the Application was filed on September 30, 2024, the Commission and EERA staff held an in-person public information and scoping meeting at the Lakefield Community Center on December 4, 2024.¹⁴⁴ Three persons provided oral comments at this public hearing.¹⁴⁵ One individual expressed concern regarding landowner liability related to having a transmission line located on their property.¹⁴⁶ Another individual sought information on the electric fields and magnetic field limitations as proposed by the State of Minnesota.¹⁴⁷ The third individual sought information on general studies done throughout the State of Minnesota on electric and magnetic fields.¹⁴⁸

75. A remote public hearing was held via Webex and telephone on December 10, 2024.¹⁴⁹ One commenter sought information on the distance between the

¹³⁵ Ex. ITC-103 at 65 (Application).

¹³⁶ Ex. ITC-103 at 65-66 (Application).

¹³⁷ Ex. ITC-103 at 66 and Appendix C (Application).

¹³⁸ Ex. ITC-103 at 66 (Application).

¹³⁹ Ex. ITC-103 at 66 (Application).

¹⁴⁰ Ex. ITC-103 at 67 (Application).

¹⁴¹ Ex. ITC-103 at 68 (Application).

¹⁴² Ex. ITC-103 at 68 (Application).

¹⁴³ Ex. ITC-103 at 68 (Application).

¹⁴⁴ Lakefield 6:00 pm Tr. at 1 (Dec. 4, 2024).

¹⁴⁵ Lakefield 6:00 pm Tr. at 3 (Dec. 4, 2024).

¹⁴⁶ Lakefield 6:00 pm Tr. at 24:2-28:25 (Dec. 4, 2024).

¹⁴⁷ Lakefield 6:00pm Tr. at 29:4-29:19 (Dec. 4, 2024).

¹⁴⁸ Lakefield 6:00pm Tr. at 29:20-30:22 (Dec. 4, 2024).

¹⁴⁹ WebEx 6:00 pm Tr. at 1 (Dec. 10, 2024).

Project and their residential property and whether the location of drainage ditches and field drainage would be considered for the Project location.¹⁵⁰

76. On December 24, 2024, the DNR filed comments regarding potential environmental impacts that should be considered in the EA for the Project and proposed conditions for the Route Permit.¹⁵¹ The DNR requested a special permit condition that the Applicant must work with the DNR to determine if any impacts to calcareous fen will occur during any phase of the Project.¹⁵² If the Project is anticipated to impact calcareous fen, the Applicant must develop a Calcareous Fen Management Plan in coordination with the DNR.¹⁵³ The DNR also committed to working with Applicant after the Route Permit is issued to determine appropriate locations for avian flight diverters.¹⁵⁴ DNR also recommended the other following special permit conditions: (1) to use downlit and shielded lighting and lighting that minimizes blue hue; (2) to avoid products containing calcium chloride or magnesium chloride, which are often used for dust control; and (3) erosion control blankets be limited to “bio-netting” or “natural netting” products as opposed to plastic mesh netting products.¹⁵⁵

77. On May 13, 2025, the Administrative Law Judge held a public hearing at the Lakefield Community Center.¹⁵⁶ Two persons provided comments at this public hearing. The first commenter sought clarification on the Project’s ROW width.¹⁵⁷ The second commenter raised awareness about a tile line located near the Proposed Route.¹⁵⁸

78. On May 14, 2025, the Administrative Law Judge held a virtual public hearing over WebEx and telephone.¹⁵⁹ No one provided comments at the virtual public hearing.¹⁶⁰

79. On June 6, 2025, the EERA, on behalf of the interagency VMPWG, filed comments on the Applicant’s draft Vegetation Management Plan (VMP) that was filed as Appendix K to the Application.¹⁶¹ In these comments, the VMPWG proposed additions to the Project’s draft VMP.¹⁶² However, the VMPWG stated that it does not recommend any action by the Commission at this time, but “is providing comments to facilitate transparency in the record as the VMPWG works with ITC [Midwest] to arrive at a VMP that is adequate to meet pre-construction compliance filing requirements.”¹⁶³

¹⁵⁰ WebEx 6:00 pm Tr. at 21:4-24:23 (Dec. 10, 2024).

¹⁵¹ DNR Comments (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

¹⁵² DNR Comments at 1 (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

¹⁵³ DNR Comments at 1 (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

¹⁵⁴ DNR Comments at 1 (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

¹⁵⁵ DNR Comments at 2 (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)).

¹⁵⁶ Lakefield 6:00pm Tr. at 1 (May 13, 2025).

¹⁵⁷ Lakefield 6:00pm Tr. at 14:9-16:25 (May 13, 2025).

¹⁵⁸ Lakefield 6:00pm Tr. at 17:8-18:14 (May 13, 2025).

¹⁵⁹ WebEx 6:00pm Tr. at 1 (May 14, 2025).

¹⁶⁰ WebEx 6:00 pm Tr. at 14:22-15:10 (May 14, 2025).

¹⁶¹ VMPWG Comments (June 6, 2025) (eDocket No. [20256-219668-01](#)).

¹⁶² VMPWG Comments (June 6, 2025) (eDocket No. [20256-219668-01](#)).

¹⁶³ VMPWG Comments at 1 (June 6, 2025) (eDocket No. [20256-219668-01](#)).

80. On June 6, 2025, the DNR filed comments on the EA for the Project.¹⁶⁴ These comments recommended the same special conditions noted in its earlier December 24, 2024 letter.¹⁶⁵ These comments also noted that Project crosses two public waters watercourses: the Little Sioux River and Judicial Ditch 28 and that a DNR License to Cross these two public waters may be required.¹⁶⁶ The DNR also noted that a DNR Water Appropriation Permit may be required for the Project.¹⁶⁷

81. On June 17, 2025, ITC Midwest filed its response to public comments responding to the recent comments filed VMPWG and the DNR.¹⁶⁸ ITC Midwest stated that it looked forward to working with VMPWG on finalizing the VMP for the Project but noted that certain additions proposed by the VMPWG seem excessive or unnecessary given the Project's scope and location. ITC Midwest did not object to any of the special conditions recommended by the DNR in its June 6 comment letter and stated that it will apply for a DNR License to Cross and Water Appropriation Permit, as needed.

VI. FACTORS FOR A ROUTE PERMIT

82. The PPSA requires that route permit determinations “be guided by the state’s goal to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state’s electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.”¹⁶⁹

83. Under the PPSA, the Commission must be guided by the following responsibilities, procedures, and considerations:

- (1) evaluation of research and investigation relating to the effects on land, water and air resources of large electric power generating plants and high-voltage transmission lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;
- (2) environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;
- (3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

¹⁶⁴ DNR Comment Letter (June 6, 2025) (eDocket Nos. [20256-219664-01](#) and [20256-219664-01](#)).

¹⁶⁵ DNR Comment Letter at 1-2 (June 6, 2025) (eDocket Nos. [20256-219664-01](#) and [20256-219664-01](#)).

¹⁶⁶ DNR Comment Letter at 2 (June 6, 2025) (eDocket Nos. [20256-219664-01](#) and [20256-219664-01](#)).

¹⁶⁷ DNR Comment Letter at 2 (June 6, 2025) (eDocket Nos. [20256-219664-01](#) and [20256-219664-01](#)).

¹⁶⁸ ITC Response to Public Comments (June 17, 2025) (eDocket Nos. [20256-219971-01](#)).

¹⁶⁹ Minn. Stat. § 216E.03, subd. 7.

- (4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;¹⁷⁰
- (5) analysis of the direct and indirect economic impact of proposed site and routes including, but not limited to, productive agricultural land lost or impaired;
- (6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;
- (7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivision 1 and 2;
- (8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;
- (9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;
- (10) evaluation of future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;
- (11) evaluation of irreversible and irretrievable commitments or resources should the proposed site or route be approved;
- (12) when appropriate, consideration of problems raised by other state and federal agencies and local entities;
- (13) evaluation of the benefits of the proposed facility with respect to (i) the protection and enhancement of environmental quality, and (ii) the reliability of state and regional energy supplies;
- (14) evaluation of the proposed facility's impact on socioeconomic factors; and
- (15) evaluation of the proposed facility's employment and economic impacts in the vicinity of the facility site and throughout Minnesota, including the quantity and quality of construction and permanent jobs and their compensation levels. The commission must consider a facility's local employment and economic impacts, and may reject or place conditions on a site or route permit based on the local employment and economic impacts.

¹⁷⁰ Factor 4 is not applicable because the Applicant is not proposing to site a large electric generating plant in this docket.

84. In addition, Minn. Stat. § 216E.03, subd. 7(e), provides that the Commission “must make specific findings that it has considered locating a route for a high-voltage transmission line on an existing high-voltage transmission line route and the use of parallel existing highway ROW and, to the extent those are not used for the route, the [C]ommission must state the reasons.”

85. In addition to the PPSA, the Commission is governed by Minn. R. 7850.4100, which mandates consideration of the following factors when determining whether to issue a route permit for a HVTL:

- A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;
- B. effects on public health and safety;
- C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;
- D. effects on archaeological and historic resources;
- E. effects on the natural environmental, including effects on air and water quality resources and flora and fauna;
- F. effects on rare and unique natural resources;
- G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;
- H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;
- I. use of existing large electric power generating plant sites;¹⁷¹
- J. use of existing transportation pipeline, and electrical transmission systems or rights-of-way;
- K. electrical system reliability;
- L. costs of construction, operating, and maintaining the facility which are dependent on design and route;
- M. adverse human and natural environmental effects which cannot be avoided; and
- N. irreversible and irretrievable commitments of resources.

¹⁷¹ This factor is not applicable because it applies only to power plant siting.

86. There is sufficient evidence in this record to assess the Project using the criteria and factors set forth above.

VII. APPLICATION FOR ROUTING FACTORS TO THE PROPOSED ROUTE

A. Effects on Human Settlement

87. Minnesota law requires consideration of the Project's effects on human settlement, including displacement of residences and business, noise created by construction and operation of the Project, and impacts to aesthetics, cultural values, recreation, and public services.¹⁷²

1. Displacement

88. Displacement refers to the removal of a residence or building to facilitate the operation of a transmission line.¹⁷³ Based on aerial photography and site visits by ITC Midwest and Merjent, no residences or outbuildings are located within 50 feet of the proposed centerline of the Proposed Route.¹⁷⁴ No businesses are present within 200 feet of the proposed centerline of the Proposed Route.¹⁷⁵ No residential homes, structures, or businesses are anticipated to be permanently displaced as a result of the Project.¹⁷⁶

2. Noise

89. Noise is generally considered to be an unwanted sound that may be an annoyance, loud, or disruptive to hearing.¹⁷⁷

90. The Minnesota Pollution Control Agency (PCA) has established standards for the regulation of noise levels.¹⁷⁸ The most restrictive PCA noise limits are 60-65 A-weighted decibels (dBA) during the daytime and 50-55 dBA during the nighttime as established in Minn. R. 7030.0040.

91. Potential noise impacts due to the Project can be grouped into three categories: (1) noise from construction of the transmission line, and (2) noise from operation of the transmission line, and (3) noise from operation of the switching station.¹⁷⁹

92. During the construction of the Project, intermittent noise will be emitted by the construction vehicles and equipment.¹⁸⁰ These noise impacts will be temporary, and the amount of noise will vary based on what type of construction is occurring at the Project on a given day, and the distance from the receptor to the noise source.¹⁸¹ During construction, the Project will generate a temporary increase in ambient noise levels in the

¹⁷² Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. A.

¹⁷³ Ex. EERA-206 at 35 (EA).

¹⁷⁴ Ex. ITC-103 at 24 (Application).

¹⁷⁵ Ex. ITC-103 at 24 (Application); Ex. EERA-206 at 35 (EA).

¹⁷⁶ Ex. EERA-206 at 35 (EA).

¹⁷⁷ Ex. ITC-103 at 25 (Application); Ex. EERA-206 at 36 (EA).

¹⁷⁸ Ex. ITC-103 at 26 (Application); Ex. EERA-206 at 36 (EA).

¹⁷⁹ Ex. ITC-103 at 27-28 (Application); Ex. EERA-206 at 37 (EA).

¹⁸⁰ Ex. ITC-103 at 27 (Application); Ex. EERA-206 at 37 (EA).

¹⁸¹ Ex. ITC-103 at 27 (Application); Ex. EERA-206 at 37 (EA).

vicinity of the Project that may exceed state noise standards.¹⁸² The Project will mitigate potential noise impacts by limiting construction to daylight hours and using construction equipment and vehicles with properly functioning mufflers and noise-control devices.¹⁸³

93. Noise from transmission lines (electrical conductors) is due to small electrical discharges which ionize surrounding air molecules.¹⁸⁴ The level of noise from these discharges depends on conductor conditions, voltage levels, and weather conditions.¹⁸⁵ Noise emissions are greatest during heavy rain events (defined as more than one inch of rain per hour) when the conductors are consistently wet.¹⁸⁶ However, during heavy rains, the background noise level is usually greater than the noise from the transmission line, and few people are in close proximity to a transmission line in these conditions.¹⁸⁷ ITC Midwest calculated Project sound levels at the edge of the ROW for the transmission line and determined them to be 35.49 dBA.¹⁸⁸

94. An analysis of the Forks Switching Station was conducted to examine potential noise levels due to the station.¹⁸⁹ The only expected noise is the inconsistent, extremely short-term noise from planned switching or unplanned fault-clearing operations.¹⁹⁰

95. The Forks Switching Station will have three power lines terminating at this location.¹⁹¹ To analyze the average noise that will come from the switching station, data was gathered to find the average number of planned and unplanned switching events on the ITC Midwest 161 kV system.¹⁹² ITC Midwest gathered data that 0.91 unplanned switching events and 3.71 planned switching events are anticipated to take place at the Forks Switching Station per year.¹⁹³ ITC Midwest does not have measurements or vendor-provided specifications for audible noise produced by the circuit breaker or the disconnect switches, but ITC Midwest's field experience has described these events as around 130 dBA.¹⁹⁴ These noise events would be very brief and dissipate as distance increases from the switching station.¹⁹⁵

96. During operation, the Project will not generate an increase in ambient noise levels in the vicinity of the Project that exceed state noise standards; therefore, no mitigation measures are necessary after the Project is constructed.¹⁹⁶ Route permits issued by the Commission require compliance with Minnesota noise standards.¹⁹⁷

¹⁸² Ex. ITC-103 at 27 (Application); Ex. EERA-206 at 37 (EA).

¹⁸³ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁸⁴ Ex. EERA-206 at 37 (EA).

¹⁸⁵ Ex. EERA-206 at 37 (EA).

¹⁸⁶ Ex. EERA-206 at 37 (EA).

¹⁸⁷ Ex. EERA-206 at 37 (EA).

¹⁸⁸ Ex. ITC-103 at 27 (Application); Ex. EERA-206 at 37 (EA).

¹⁸⁹ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹⁰ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹¹ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹² Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹³ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹⁴ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹⁵ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 38 (EA).

¹⁹⁶ Ex. ITC-103 at 28 (Application).

¹⁹⁷ Ex. EERA-206 at 38 (EA).

3. Aesthetics

97. The aesthetic and visual resources of a landscape are defined as the existing natural and built features which affect the visual quality and character of an area.¹⁹⁸ Determining the relative scenic value or visual importance in any given area depends, in large part, on the individual viewer, or community of viewers, whose perceptions are shaped by their values and experiential connection to the viewing area, as well as their physical relationship to the view, including distance to structures, perspective, and duration of the view.¹⁹⁹

98. The Project is located within a primarily agricultural landscape and the Proposed Route generally follows existing road ROWs.²⁰⁰ The Proposed Route is collocated with an existing 69 kV transmission line for approximately 0.86 mile, and a 161 kV transmission line is perpendicular to the Proposed Route.²⁰¹ There are four wind turbines located just south of the Rost Substation and east of the Project and 350th Avenue.²⁰²

99. The proposed Forks Switching Station will be located southwest of the City of Lakefield, Minnesota.²⁰³ The proposed Forks Switching Station will be a new feature in the Project Study Area that will be visible off-site.²⁰⁴ Construction activities will be visible throughout the Proposed Route.²⁰⁵

100. The Applicant's Proposed Route was developed to avoid proximity to residences, with no residences located within the ROW of the Proposed Route.²⁰⁶ There are a total of nine residences within 1,000 feet of the anticipated centerline of the Proposed Route with four residences located between 50 and 250 feet of the anticipated centerline.²⁰⁷ With respect to ROW sharing, the entire Proposed Route parallels road ROW and field, parcel, or section lines.²⁰⁸

101. The Project will create aesthetic impacts.²⁰⁹ The visual impact is anticipated to be minimal to moderate as the Project is constructed adjacent to existing county road ROWs, collocated with an existing 69 kV transmission line, and is located near an existing wind farm.²¹⁰

¹⁹⁸ Ex. EERA-206 at 26 (EA).

¹⁹⁹ Ex. EERA-206 at 26 (EA).

²⁰⁰ Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 26 (EA).

²⁰¹ Ex. ITC-103 at 28 (Application).

²⁰² Ex. ITC-103 at 28 (Application); Ex. EERA-206 at 26 (EA).

²⁰³ Ex. ITC-103 at 29 (Application); Ex. EERA-206 at 26 (EA).

²⁰⁴ Ex. ITC-103 at 29 (Application).

²⁰⁵ Ex. ITC-103 at 29 (Application).

²⁰⁶ Ex. EERA-206 at 27 (EA).

²⁰⁷ Ex. EERA-206 at 27 (EA).

²⁰⁸ Ex. EERA-206 at 27 (EA).

²⁰⁹ Ex. EERA-206 at 28 (EA).

²¹⁰ Ex. ITC-103 at 29 (Application); Ex. EERA-206 at 28 (EA).

102. To mitigate aesthetic concerns, ITC Midwest will work with landowners on pole placements during final design and will minimize tree clearing to the maximum extent possible.²¹¹

4. Cultural Values

103. Cultural values are community beliefs and attitudes that provide a framework for community unity and guide community actions. Cultural values are informed, in part, by history and heritage.²¹² The Project spans land that has been home to a diverse range of people and cultures.²¹³ Major infrastructure projects can be inconsistent with an area's cultural values, resulting in a deterioration of a community's shared sense of self.²¹⁴

104. The Project Area was primarily populated by the Dakota Sioux people in the early to mid-1800s.²¹⁵ By the mid-1800s, Canadian, French, and British fur traders began settling in this area.²¹⁶ A large wave of European immigrants arrived around 1850; these settlers were primarily of German, Norwegian, Swedish, Dutch, and British heritage.²¹⁷

105. Cultural values are also influenced by the work and recreation of residents and by geographical features.²¹⁸ The Project Area is primarily rural and agricultural. Farming and the ability to continue to farm and support livelihoods through farming tend to be strong values in these settings.²¹⁹ Various recreational opportunities, such as hiking, hunting, and wildlife viewing, are supported by a variety of natural resources located in the Project Area, including the Little Sioux River and USFWS Waterfowl Production Areas.²²⁰

106. The Project's impact on cultural values is anticipated to be minimal. The Project will not adversely impact the work of residents that underlie the area's cultural values, nor is it anticipated to adversely impact geographical features that inform these values.²²¹

5. Recreation

107. Recreation activities in Jackson County include hunting, biking, snowmobiling, hiking, camping, fishing, boating, and swimming.²²² The Little Sioux River is located within the Project Study Area and may provide recreational opportunities, such as kayaking or canoeing.²²³

²¹¹ Ex. ITC-103 at 29 (Application); Ex. EERA-206 at 28 (EA).

²¹² Ex. EERA-206 at 38 (EA).

²¹³ Ex. EERA-206 at 38 (EA).

²¹⁴ Ex. EERA-206 at 38 (EA).

²¹⁵ Ex. EERA-206 at 38 (EA).

²¹⁶ Ex. EERA-206 at 38 (EA).

²¹⁷ Ex. EERA-206 at 38 (EA).

²¹⁸ Ex. EERA-206 at 38 (EA).

²¹⁹ Ex. EERA-206 at 38 (EA).

²²⁰ Ex. EERA-206 at 38 (EA).

²²¹ Ex. EERA-206 at 38 (EA).

²²² Ex. ITC-103 at 32 (Application).

²²³ Ex. ITC-103 at 32 (Application).

108. Construction of the Project is not anticipated to disrupt nearby recreational activities.²²⁴ The Proposed Route crosses the Little Sioux River where the river flows through the culverts beneath 770th Street.²²⁵ Recreational users would be required to exit Little Sioux River and reenter downstream of 770th Street.²²⁶ In addition, the Little Sioux River will be spanned by the Project, so impacts to recreational users are not anticipated.²²⁷

109. The Project is not anticipated to impact recreation in the Project area.²²⁸

6. Socioeconomic

110. Socioeconomic factors provide an indication of how economic activity affects and is shaped by social processes.²²⁹ Socioeconomic measures indicate how societies progress, stagnate, or regress because of their actions and interactions within and between the local, regional, or global economic scales.²³⁰

111. Approximately 15 workers will be required for transmission line and substation construction.²³¹ Transmission line construction is anticipated to begin in April 2026 with the full Project in service in December 2026.²³² Local businesses have the potential to experience short-term positive economic impacts through the use of the hotels, restaurants, and other services used by contractors during construction.²³³

112. The Project will generate minor, short-term positive economic impacts, driven by increased construction activity and a small influx of contractor employees.²³⁴ The Project will have some positive impacts on the socioeconomics of the region through the creation of temporary jobs, generation of tax revenue, and providing more reliable electrical service to the surrounding communities.²³⁵ No adverse socioeconomic impacts are anticipated as a result of the Project.²³⁶

7. Environmental Justice

113. Environmental justice is the “just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment.”²³⁷ The goal of this fair treatment is to identify potential disproportionately

²²⁴ Ex. ITC-103 at 32 (Application).

²²⁵ Ex. ITC-103 at 32 (Application).

²²⁶ Ex. ITC-103 at 32-33 (Application).

²²⁷ Ex. ITC-103 at 32-33 (Application).

²²⁸ Ex. ITC-103 at 33 (Application); Ex. EERA-206 at 75 (EA).

²²⁹ Ex. EERA-206 at 39 (EA).

²³⁰ Ex. EERA-206 at 39 (EA).

²³¹ Ex. ITC-103 at 22 (Application); Ex. EERA-206 at 39 (EA).

²³² Ex. ITC-103 at 10 (Application); Ex. EERA-206 at 39 (EA).

²³³ Ex. ITC-103 at 31 (Application); Ex. EERA-206 at 39 (EA).

²³⁴ Ex. EERA-206 at 39 (EA).

²³⁵ Ex. EERA-206 at 39 (EA).

²³⁶ Ex. EERA-206 at 39 (EA).

²³⁷ Ex. EERA-206 at 40 (EA).

high and adverse effects from implementation of the Project and identify alternatives that may mitigate these impacts.²³⁸

114. An environmental justice area means an area in Minnesota that, based on the most recent data published by the United States Census Bureau, meets one or more of the following criteria: (1) 40 percent or more nonwhite populations; (2) 35 percent or more households with income below 200 percent of the poverty level; (3) 40 percent or more residents with limited English proficiency; or (4) Indian country as defined in US Code, title 18, section 1151.²³⁹

115. The PCA's Understanding Environmental Justice in Minnesota Mapping Tool is an online mapping tool that uses census data to identify Environmental Justice Communities (EJC) using the four criteria listed above.²⁴⁰ The PCA mapping tool did not identify any EJC in the Project area.²⁴¹

116. Due to the absence of EJC in the Project area, the Project will not result in environmental justice impacts.²⁴²

8. Public Services and Transportation

117. Transmission line projects have the potential to negatively impact public services (e.g., roads, utilities, and emergency services).²⁴³ These impacts are typically temporary in nature (e.g., the inability to fully use a road or utility while construction is in process).²⁴⁴ However, impacts could be more long-term if they change the area so that public service options are foreclosed or limited.²⁴⁵

118. The Proposed Route is located in a rural area containing agricultural fields and rural residential houses, with typical public services, such as waste collection, cable, electric, telephone, water, and natural gas utilities, septic systems, wells, Emergency Medical Services (EMS), and law enforcement.²⁴⁶ There are no FAA-listed airports, public airports, or private airports located within one mile of the Project.²⁴⁷

119. ITC Midwest will coordinate with the Minnesota Department of Transportation to confirm that construction of the Project will not interfere with routine roadway maintenance.²⁴⁸ Infrequent localized traffic delays may occur when heavy equipment enters and exits local roadways near the Project.²⁴⁹ To minimize traffic impacts, ITC Midwest will coordinate with local road authorities (county and townships)

²³⁸ Ex. EERA-206 at 40 (EA).

²³⁹ Minn. Stat. § 216B.1691, subd. 1(e); Ex. ITC-103 at 29-30 (Application); Ex. EERA-206 at 40 (EA).

²⁴⁰ Ex. EERA-206 at 40 (EA).

²⁴¹ Ex. EERA-206 at 40 (EA).

²⁴² Ex. EERA-206 at 42 (EA).

²⁴³ Ex. EERA-206 at 42 (EA).

²⁴⁴ Ex. EERA-206 at 42 (EA).

²⁴⁵ Ex. EERA-206 at 42 (EA).

²⁴⁶ Ex. ITC-103 at 33 (Application).

²⁴⁷ Ex. EERA-206 at 47 (EA).

²⁴⁸ Ex. ITC-103 at 34 (Application).

²⁴⁹ Ex. ITC-103 at 34 (Application).

to schedule large material and/or equipment deliveries to avoid periods when traffic volumes are high whenever practical.²⁵⁰

120. The Proposed Route will not disturb any existing utilities or other public services.²⁵¹ Since the coordination and safety procedures will be implemented during Project construction and no significant impacts to public services and transportation during and after Project construction are expected.²⁵²

B. Effects on Public Health and Safety

121. Minnesota's HVTL routing factors require consideration of the Project's potential effect on health and safety.²⁵³

122. Transmission line projects have the potential to negatively impact public health and safety during project construction and operation.²⁵⁴ As with any project involving heavy equipment and transmission lines, there are safety issues to consider during construction.²⁵⁵ Potential health and safety impacts include injuries due to falls, equipment use, and electrocution.²⁵⁶

123. The Project will be designed in compliance with National Electric Safety Code (NESC) requirements regarding clearance to ground, clearance to crossing utilities, clearance to buildings, strength of materials, and ROW widths.²⁵⁷ Safeguards will be implemented for construction and operation of the Project transmission line and Forks Switching Station.²⁵⁸ Construction and/or contract crews will comply with state and NESC standards regarding installation of facilities and standard construction practices.²⁵⁹ ITC Midwest's established safety procedures, as well as industry safety procedures, will be followed during construction of the Project and after installation of the transmission line, including clear signage during all construction activities.²⁶⁰

124. Potential health impacts related to the operation of the Project include health impacts from EMF, stray voltage, and induced voltage.²⁶¹

1. Electric and Magnetic Fields (EMF)

125. Electric fields are the result of electric charge, or voltage, on a conductor.²⁶² The intensity of an electric field is related to the magnitude of the voltage on the conductor

²⁵⁰ Ex. ITC-103 at 34 (Application).

²⁵¹ Ex. ITC-103 at 34 (Application).

²⁵² Ex. ITC-103 at 34 (Application); Ex. EERA-206 at 44 (EA).

²⁵³ Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. B.

²⁵⁴ Ex. EERA-206 at 47 (EA).

²⁵⁵ Ex. EERA-206 at 47-48 (EA).

²⁵⁶ Ex. EERA-206 at 48 (EA).

²⁵⁷ Ex. ITC-103 at 25 (Application).

²⁵⁸ Ex. ITC-103 at 25 (Application).

²⁵⁹ Ex. ITC-103 at 25 (Application).

²⁶⁰ Ex. ITC-103 at 25 (Application).

²⁶¹ Ex. EERA-206 at 48 (EA).

²⁶² Ex. EERA-206 at 48 (EA).

and is typically described in terms of kV per meter (kV/m).²⁶³ Magnetic fields are created and increase from the strength of the flow of current through wires or electrical devices.²⁶⁴ The intensity of a magnetic field is related to the magnitude of the current flow through the conductor and is typically described in units of magnetic flux density expressed as Gauss (G) or milligauss (mG).²⁶⁵ Magnetic fields, unlike electric fields, are not shielded or weakened by materials that do not conduct electricity (e.g., trees, buildings). Rather, they pass through most materials.²⁶⁶

126. Both magnetic and electric fields decrease rapidly with increased distance from the source.²⁶⁷ EMF are invisible just like radio, television, and cellular phone signals, all of which are part of the electromagnetic spectrum.²⁶⁸ EMF are found anywhere there are energized, current-carrying conductors, such as near transmission lines, local distribution lines, substation transformers, household electrical wiring, and common household appliances.²⁶⁹

127. There are no federal regulations regarding allowable electric or magnetic fields produced by transmission lines in the United States.²⁷⁰ The Commission has imposed a maximum electric field limit of 8 kV/m.²⁷¹

128. Research on whether exposure to low frequency EMF causes biological responses and health effects has been performed since the 1970s.²⁷² The U.S. National Institute of Environmental Health Sciences and the World Health Organization have been a part of this research. Their research does not support a relationship or association between exposure to electric power EMF and adverse health effects.²⁷³

129. The U.S. National Institute of Environmental Health Science evaluated numerous epidemiologic studies and comprehensive reviews of the scientific literature that examined associations of cancers with living near power lines, with magnetic fields in the home, and with exposure of parents to high levels of magnetic fields in the workplace.²⁷⁴ They concluded that “no consistent evidence for an association between any source of non-ionizing EMF and cancer has been found.”²⁷⁵

130. The maximum calculated electric field for the Project's configuration is 1.9 kV/m, directly underneath the conductors.²⁷⁶ This field level is within the Commission's 8 kV/m limit.²⁷⁷

²⁶³ Ex. EERA-206 at 48 (EA).

²⁶⁴ Ex. EERA-206 at 48 (EA).

²⁶⁵ Ex. EERA-206 at 48 (EA).

²⁶⁶ Ex. EERA-206 at 48 (EA).

²⁶⁷ Ex. EERA-206 at 48 (EA).

²⁶⁸ Ex. EERA-206 at 48 (EA).

²⁶⁹ Ex. EERA-206 at 48 (EA).

²⁷⁰ Ex. EERA-206 at 49 (EA).

²⁷¹ Ex. ITC-103 at 60-61 (Application); Ex. EERA-206 at 49 (EA).

²⁷² Ex. EERA-206 at 49 (EA).

²⁷³ Ex. EERA-206 at 49 (EA).

²⁷⁴ Ex. EERA-206 at 49 (EA).

²⁷⁵ Ex. EERA-206 at 49 (EA).

²⁷⁶ Ex. EERA-206 at 50 (EA).

²⁷⁷ Ex. EERA-206 at 50 (EA).

131. Because magnetic fields are dependent on the current flowing on the transmission line and therefore could vary throughout the day, two separate scenarios were calculated: average load and maximum rated load of the Project.²⁷⁸ Values were calculated assuming minimum conductor-to-ground clearance at mid-span and a height of 1 meter (3.28 feet) above ground.²⁷⁹ The maximum calculated magnetic field under maximum rated load is 40.1 mG.²⁸⁰ The maximum calculated magnetic field at the edge of the ROW (50 ft) is 10.9 mG.²⁸¹

132. Impacts to public health and safety from EMF are not anticipated for the Project.²⁸²

2. Stray Voltage

133. Electrical systems that deliver power to end-users and electrical systems within the end-user's business, home, farm, or other buildings are grounded to the earth for safety and reliability reasons.²⁸³ The grounding of these electrical systems results in a small amount of current flow through the earth.²⁸⁴ Stray voltage could arise from neutral currents flowing through the earth via ground rods, pipes, or other conducting objects, or from faulty wiring or faulty grounding of conducting objects in a facility.²⁸⁵ Thus, stray voltage could exist at any business, house, or farm which uses electricity—independent of whether there is a transmission line nearby.²⁸⁶

134. No impacts due to stray voltage are anticipated from the Project.²⁸⁷ Transmission lines do not create stray voltage as they do not directly connect to businesses, residences, or farms.²⁸⁸ The Project will not directly connect to businesses or residences in the area and will not change local electrical service.²⁸⁹

3. Induced Voltage

135. It is possible for electric fields from a transmission line to extend to a conductive object that is near a line.²⁹⁰ This may induce a voltage on the object; the magnitude of the voltage depends on several factors such as the size, shape, and orientation of the object along the ROW.²⁹¹ Smaller conductive objects near the line could cause a nuisance shock to a person, but this nuisance shock is not a potential safety hazard.²⁹²

²⁷⁸ Ex. EERA-206 at 50 (EA).

²⁷⁹ Ex. EERA-206 at 50-51 (EA).

²⁸⁰ Ex. EERA-206 at 51 (EA).

²⁸¹ Ex. EERA-206 at 51 (EA).

²⁸² Ex. EERA-206 at 53 (EA).

²⁸³ Ex. EERA-206 at 53 (EA).

²⁸⁴ Ex. EERA-206 at 53 (EA).

²⁸⁵ Ex. EERA-206 at 53 (EA).

²⁸⁶ Ex. EERA-206 at 53 (EA).

²⁸⁷ Ex. ITC-103 at 64 (Application); Ex. EERA-206 at 53 (EA).

²⁸⁸ Ex. ITC-103 at 64 (Application); Ex. EERA-206 at 53 (EA).

²⁸⁹ Ex. ITC-103 at 64 (Application); Ex. EERA-206 at 53 (EA).

²⁹⁰ Ex. EERA-206 at 54 (EA).

²⁹¹ Ex. EERA-206 at 54 (EA).

²⁹² Ex. EERA-206 at 54 (EA).

136. Minimal impacts due to induced voltage are anticipated from the Project.²⁹³ All route permits issued by the Commission require that transmission lines be constructed and operated to meet NESC standards as well as the Commission's own electric field limit of 8.0 kV/m, reducing these impacts.²⁹⁴

C. Effects on Land-Based Economics

137. Minnesota's HVTL routing factors require consideration of the Project's impacts to land-based economies—specifically, agriculture, forestry, tourism, and mining.²⁹⁵

1. Agriculture.

138. Most of the land within Jackson County is used for agriculture.²⁹⁶ The Proposed Route includes approximately 1,530 acres of area designated as prime farmland.²⁹⁷ The proposed Forks Rost Switching Station includes approximately 11.8 acres of area designated as prime farmland, which is comprised of approximately 5.5 acres prime farmland and 6.3 acres of prime farmland if drained.²⁹⁸

139. Some agriculture land may be temporarily removed from production during construction of the Project. Total acreage of potential temporary impacts depends on the final design.²⁹⁹

140. Permanent impacts include agricultural land conversion to maintain buffers around proposed structures.³⁰⁰ Based on preliminary Project design, the substation will permanently impact up to 11.8 acres of land previously used for agriculture and each transmission line pole will have a diameter of 6 to 8 feet for direct embed, including vibratory caissons, and 8 to 10 feet for drilled pier foundations, which will impact agriculture land.³⁰¹

141. To mitigate and minimize impacts to agricultural activities, ITC Midwest will work with landowners and propose the following measures:

- To the extent practicable, construction will be scheduled during periods when agricultural activities will be minimally affected.
- Local roads will be used as much as possible to move equipment and install structures. If local roads cannot be used, equipment will be limited to the ROW to the full extent. If movement outside the ROW is required, permission from landowner's will be obtained.

²⁹³ Ex. EERA-206 at 54 (EA).

²⁹⁴ Ex. EERA-206 at 54 (EA).

²⁹⁵ Minn. Stat. § 216E.03, subd. 7(b)(5); Minn. R. 7850.4100, subp. C.

²⁹⁶ Ex. ITC-103 at 34 (Application).

²⁹⁷ Ex. ITC-103 at 34 (Application).

²⁹⁸ Ex. ITC-103 at 34 (Application); Ex. EERA-206 at 104 (EA).

²⁹⁹ Ex. ITC-103 at 35 (Application).

³⁰⁰ Ex. ITC-103 at 35 (Application).

³⁰¹ Ex. ITC-103 at 35 (Application).

- All temporary workspace required to construct the Proposed Route will be leased from landowners through agreements.
- All material and debris during construction will be removed and properly disposed of.
- Landowners will be compensated for any crop damage, crop losses, and/or soil compaction.
- All areas disturbed during construction will be repaired and restored to pre-construction conditions. In addition to agricultural fields, this may include fences, gates, ditches, terraces, roads, or other features.³⁰²

2. Forestry

142. There are no commercial forestry operations within the Proposed Route, therefore no impact to commercial forestry is anticipated as a result of the Project.³⁰³

3. Tourism

143. Tourism activities within Jackson County include farm and home shows, town and county days, the Jackson County Fair, several golf events, and holiday parades and fireworks.³⁰⁴ Tourism destinations include Fort Belmont; Jackson Speedway; the Historic State Theatre; Jackson County Historical Society Museum; and the Round Lake Vineyards and Winery.³⁰⁵

144. The Proposed Route does not cross any areas that host tourism activities or tourism destinations, and the proposed activities would not preclude tourism activities or destinations.³⁰⁶

4. Mining

145. Four mine/gravel pits are located within the Project Study Area but outside of the Proposed Route.³⁰⁷ As no mining operations are present within the Proposed Route, and no impacts are anticipated.³⁰⁸

D. Effects on Archaeological and Historic Resources

146. Minnesota Rule 7850.4100, subp. D requires consideration of the effects of the Project on historic and archaeological resources.

³⁰² Ex. ITC-103 at 35 (Application); Ex. EERA-206 at 63 (EA).

³⁰³ Ex. ITC-103 at 36 (Application); Ex. EERA-206 at 74 (EA).

³⁰⁴ Ex. ITC-103 at 36 (Application).

³⁰⁵ Ex. ITC-103 at 36 (Application).

³⁰⁶ Ex. ITC-103 at 36 (Application).

³⁰⁷ Ex. ITC-103 at 36 (Application).

³⁰⁸ Ex. ITC-103 at 37 (Application); Ex. EERA-206 at 74 (EA).

147. Archaeological resources are defined as the material remains of past human life or activities.³⁰⁹ Pursuant to the Minnesota Historic and Architectural Survey Manual, historic resources are defined as sites, buildings, structures, or objects that are over 45 years in age and “create tangible links to the American past, whether in relation to historical events and people, traditional ways of life, architectural design, or methods of construction.”³¹⁰

148. To determine potential cultural resource impacts, known archaeological and historic resources in or adjacent to the Project were identified through a review of the OSA online portal and Minnesota’s Statewide Historic Inventory Portal (MnSHIP), the Minnesota SHPO online portal in March 2025.³¹¹ MnSHIP is a comprehensive database of all documented historic architectural resources for the entire state, while the OSA portal is a database of all previously recorded archaeological sites in the state.³¹²

149. No known archaeological resources have been documented within one mile of the Project; therefore, no impacts to previously recorded archaeological resources are anticipated as a result of the Project.³¹³ While two historic cemeteries have been recorded within the 1-mile study area, all of these are clearly delineated, and are not within or adjacent to the Project’s route.³¹⁴ Therefore, these cemeteries will not be impacted by the Project.³¹⁵

150. The Project will not have the potential to impact documented National Register of Historic Places-listed or eligible properties.³¹⁶ The resource within the route width consists of Bridge L9312/JK-RST-00011.³¹⁷ This timber slab bridge, constructed in 1970, crosses the Little Sioux River along 770th Street.³¹⁸ This resource is not eligible for the National Register of Historic Places (NRHP).³¹⁹ Further, this bridge crosses 770th Street over the Little Sioux River, and the Project will parallel this existing transportation infrastructure.³²⁰ The bridge represents infrastructure critical to the function of the rural, agricultural community in the same way that the Project will provide critical infrastructure for the community, and thus, the Project will not alter this resource’s setting, feeling, appearance, and/or association.³²¹

151. The preferred impact mitigation for archaeological or historic resources is prudent structure placement to avoid known archaeological resources. However, no previously recorded archaeological or historic resources will be impacted by this Project.³²²

³⁰⁹ Ex. EERA-206 at 77 (EA).

³¹⁰ Ex. EERA-206 at 77 (EA).

³¹¹ Ex. EERA-206 at 77 (EA).

³¹² Ex. EERA-206 at 77 (EA).

³¹³ Ex. EERA-206 at 78 (EA).

³¹⁴ Ex. EERA-206 at 78 (EA).

³¹⁵ Ex. EERA-206 at 78 (EA).

³¹⁶ Ex. EERA-206 at 80 (EA).

³¹⁷ Ex. EERA-206 at 78 (EA).

³¹⁸ Ex. EERA-206 at 78 (EA).

³¹⁹ Ex. EERA-206 at 78 (EA).

³²⁰ Ex. EERA-206 at 80 (EA).

³²¹ Ex. EERA-206 at 80 (EA).

³²² Ex. EERA-206 at 80 (EA).

152. Should an NRHP-eligible site be identified during construction, ITC Midwest will coordinate with SHPO and OSA to avoid, minimize, or mitigate adverse effects.³²³

E. Effects on Natural Environment

153. Minnesota's HVTL routing factors require consideration of the Project's effect on the natural environment, including effects on air and water quality resources and flora and fauna.³²⁴

1. Air Quality

154. Impacts on air quality from construction and operation of the Project will be low and primarily limited to the period of construction.³²⁵ During construction, air emissions will occur from the operation of construction equipment, vehicular traffic, and soil disturbance.³²⁶ Construction activities will be performed with standard heavy equipment such as cranes, boom trucks, and assorted small vehicles.³²⁷ Exhaust emissions from construction vehicles will be minimized by keeping construction equipment in good working order.³²⁸ When necessary, dust from construction traffic will be controlled using standard construction practices such as watering of exposed surfaces, covering of disturbed areas, and reducing vehicle speeds.³²⁹ Overall, dust emissions currently experienced annually in the area through farming activities will be reduced for the life of the Project through the establishment of perennial vegetative cover.³³⁰

155. During operation of the line and proposed Forks Switching Station, air emissions will be minimal.³³¹ Small amounts of nitrogen oxide (NO_x) will be produced from the operation of the transmission line through ionization of air molecules during corona discharge. These emissions are expected to be minimal.³³² A small amount of ozone will be created due to corona from the operation of transmission lines.³³³ The emission of ozone during operations is not anticipated to have a significant impact on the environment.³³⁴ The emission of ozone from the operation of a transmission line of the voltage proposed for the Project will be minimal and is not anticipated to have a significant impact on the air quality.³³⁵

³²³ Ex. ITC-103 at 39 (Application).

³²⁴ Minn. Stat. § 216E.03, subd. 7(b)(1)-(2); Minn. R. 7850.4100, subp. E.

³²⁵ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³²⁶ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³²⁷ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³²⁸ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³²⁹ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³³⁰ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³³¹ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 61 (EA).

³³² Ex. EERA-206 at 61 (EA).

³³³ Ex. EERA-206 at 61 (EA).

³³⁴ Ex. EERA-206 at 61 (EA).

³³⁵ Ex. ITC-103 at 36 (Application); Ex. EERA-206 at 61 (EA).

2. Greenhouse Gas Emissions (GHG) and Climate Change

156. Construction of the Project would result in GHG emissions from the combustion of diesel and gasoline in heavy construction equipment, delivery vehicles, and worker passenger vehicles.³³⁶ However, operation of the Project will provide additional transmission capacity to support interconnection with, and transmission of, additional renewable energy generation from renewable resources.³³⁷

157. Construction activities are expected to produce a total of 1,182 tons carbon dioxide equivalent (CO₂e).³³⁸

158. During the operational stage, the Project will be regularly inspected, maintained, and possibly undergo emergency repair. These activities will generate a minor amount of GHG emissions.³³⁹

159. The Project will have minimal effect to GHG emissions in Minnesota.³⁴⁰

3. Corona: Air Impacts

160. Corona can also produce ozone and oxides of nitrogen in the air surrounding the conductor.³⁴¹ However, corona-induced ozone and nitrogen oxides are typically not a concern for power lines with operating voltages at or below 161 kV because the electric field intensity is too low to produce significant corona.³⁴²

161. ITC Midwest anticipates ozone and nitrogen oxide concentrations associated with the Project to be negligible, and well below all federal standards.³⁴³ During operation, corona effects will be minimized by using good engineering practices.³⁴⁴ Given corona signifies a loss of electricity, ITC Midwest will design the transmission line to limit corona effects.³⁴⁵

4. Water Quality and Resources

a. Groundwater

162. There are no Wellhead Protection Areas or Drinking Water Supply Management Areas in the Proposed Route or the Project Study Area.³⁴⁶ The County Well

³³⁶ Ex. ITC-103 at 41 (Application); Ex. EERA-206 at 55 (EA).

³³⁷ Ex. ITC-103 at 40 (Application); Ex. EERA-206 at 56 (EA).

³³⁸ Ex. ITC-103 at 41 (Application).

³³⁹ Ex. ITC-103 at 41 (Application).

³⁴⁰ Ex. ITC-103 at 41 (Application); Ex. EERA-206 at 99 (EA).

³⁴¹ Ex. ITC-103 at 41 (Application).

³⁴² Ex. ITC-103 at 41-42 (Application).

³⁴³ Ex. ITC-103 at 41 (Application).

³⁴⁴ Ex. ITC-103 at 42 (Application).

³⁴⁵ Ex. ITC-103 at 42 (Application).

³⁴⁶ Ex. ITC-103 at 42 (Application).

Index indicates there are 24 wells located within the Project Study Area and one well located within the Proposed Route.³⁴⁷

163. Impacts to groundwater during construction and operation of the Project are not anticipated.³⁴⁸ ITC Midwest will continue to work with landowners to identify springs and wells near the Proposed Route. Given no impacts to groundwater are anticipated, no mitigation is proposed.³⁴⁹

b. Floodplains

164. There are no Federal Emergency Management Agency identified floodplains within the Proposed Route.³⁵⁰ Therefore, no impacts to floodplains are anticipated.³⁵¹

c. Impaired Waters

165. The Proposed Route crosses one impaired waterbody, Little Sioux River which is listed as having an impaired designated use for aquatic life, due to *Escherichia coli* (E. coli.) as designated from the PCA.³⁵²

166. ITC Midwest will place new transmission structures outside of the impaired waterbody and transmission lines will span the waterbody. However, no direct impacts to impaired surface waters are anticipated and no Project activities are likely to exacerbate the existing impairment for E. coli. The new Forks Switching Station will not require a well or have a septic system. ITC Midwest will employ best management practices during construction to prevent erosion and sedimentation.³⁵³

d. Lakes and Other Waterbodies

167. No lakes or other water bodies are located within the Proposed Route; therefore, no impacts are anticipated.³⁵⁴

e. Rivers and Streams (Waterways)

168. The Proposed Route crosses two streams that are identified as public waters – Judicial Ditch 28 and the Little Sioux River – as well as one non-public water stream.³⁵⁵ A desktop review identified five potential waterways within the Proposed Route

³⁴⁷ Ex. ITC-103 at 42 (Application).

³⁴⁸ Ex. ITC-103 at 43 (Application).

³⁴⁹ Ex. ITC-103 at 43 (Application).

³⁵⁰ Ex. ITC-103 at 44 (Application).

³⁵¹ Ex. ITC-103 at 44 (Application).

³⁵² Ex. ITC-103 at 44 (Application).

³⁵³ Ex. ITC-103 at 44-45 (Application).

³⁵⁴ Ex. ITC-103 at 45 (Application).

³⁵⁵ Ex. ITC-103 at 45 (Application); Ex. EERA-206 at 105 (EA).

in addition to the two public water inventory waterways.³⁵⁶ All five potential waterways appear to be ephemeral agricultural drainages.³⁵⁷

169. ITC Midwest will place new transmission line structures outside of the waterways; therefore, no impacts are anticipated.³⁵⁸ In addition, the Applicant will also work with the DNR to obtain appropriate approvals for public water crossings.³⁵⁹

f. Wetlands

170. ITC Midwest's consultant, Merjent, Inc. (Merjent), conducted a wetland study to identify potential wetland areas within the Proposed Route.³⁶⁰ The study identified 50 potential palustrine emergent (PEM) wetlands within the Proposed Route.³⁶¹ No wetlands were identified within the proposed Forks Switching Station.³⁶²

171. No permanent impacts to wetlands are anticipated.³⁶³ All wetlands will be spanned by the transmission line and no permanent impacts to wetlands will occur. Wetland areas that may potentially be crossed for construction access that are not dry, stable, and/or frozen will be matted to reduce ground disturbance and will result in temporary impacts to vegetation.³⁶⁴

5. Flora

172. Vegetation within the Proposed Route is primarily farmed row crops, shelter belts associated with farmsteads, and public road ditches.³⁶⁵

173. Minimal impacts to native vegetation are anticipated.³⁶⁶ The Proposed Route crosses agricultural land, adjacent to existing public road ROWs, which will minimize impacts to previously undisturbed vegetation.³⁶⁷ Minimal tree clearing is anticipated.³⁶⁸

174. Construction within the Proposed Route could lead to the introduction or spread of invasive species and noxious weeds.³⁶⁹ To mitigate and reduce the spread of invasive species and noxious weeds, the following measures will be taken: revegetating disturbed areas using weed-free seed mixes and using weed-free straw and hay for erosion control; removal of invasive species/noxious weeds via herbicide and manual

³⁵⁶ Ex. ITC-103 at 45 (Application).

³⁵⁷ Ex. ITC-103 at 45 (Application).

³⁵⁸ Ex. ITC-103 at 45 (Application).

³⁵⁹ Ex. ITC-103 at 45 (Application); Ex. EERA-206 at 105 (EA).

³⁶⁰ Ex. ITC-103 at 46 (Application).

³⁶¹ Ex. ITC-103 at 46 (Application).

³⁶² Ex. ITC-103 at 46 (Application).

³⁶³ Ex. ITC-103 at 46 (Application).

³⁶⁴ Ex. ITC-103 at 46 (Application).

³⁶⁵ Ex. ITC-103 at 46 (Application).

³⁶⁶ Ex. ITC-103 at 47 (Application).

³⁶⁷ Ex. ITC-103 at 47 (Application).

³⁶⁸ Ex. ITC-103 at 47 (Application).

³⁶⁹ Ex. ITC-103 at 47 (Application).

means; and cleaning and inspecting construction vehicles to remove dirt, mud, plants, and debris from vehicles prior to arriving at and leaving construction sites.³⁷⁰

6. Fauna

175. Fish, reptiles and amphibians, birds, mammals, and pollinator insects may be present in the Project area.³⁷¹

176. There is minimal potential for the displacement of wildlife and loss of habitat from construction of the Project.³⁷² Wildlife could be impacted in the short-term within the immediate area of construction, but due to the confined nature of the Project, impacts on raptors, waterfowl, and other bird species are anticipated to be minimal.³⁷³

177. Impacts on fauna species are anticipated to be temporary in nature and Edison Electric Institute (EEI) Avian Power Line Interaction Committee (APLIC) design recommendations will be considered in the Project design where practicable.³⁷⁴

F. Rare and Unique Natural Resources

178. Minnesota's HVTL routing factors require consideration of the Project's effect on rare and unique natural resources.³⁷⁵

1. Endangered Species

179. Merjent, on behalf of ITC Midwest, submitted a formal Natural Heritage Review Request through the DNR's Minnesota Conservation Explorer. ITC Midwest also reviewed the USFWS Information for Planning and Conservation website for a list of federally threatened and endangered species, candidate species, and designated critical habitat that may be present within the Project Area.³⁷⁶

a. State-Listed Species

180. According to Merjent's and ITC Midwest's review, and an official response from the DNR, one or more Sites of Biodiversity Significance within or adjacent to the Project area was identified.³⁷⁷ No state-listed endangered, threatened, or special concern species were identified within the vicinity of the Project.³⁷⁸

181. The DNR indicated several rare bird species have been observed near the Project, including the trumpeter swan, Forster's tern, and Henslow's sparrow.³⁷⁹ These

³⁷⁰ Ex. ITC-103 at 47 (Application).

³⁷¹ Ex. ITC-103 at 47 (Application).

³⁷² Ex. ITC-103 at 48 (Application); Ex. EERA-206 at 105 (EA).

³⁷³ Ex. ITC-103 at 48 (Application); Ex. EERA-206 at 105 (EA).

³⁷⁴ Ex. ITC-103 at 48 (Application); Ex. EERA-206 at 105 (EA).

³⁷⁵ Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. F.

³⁷⁶ Ex. ITC-103 at 50-51 (Application).

³⁷⁷ Ex. ITC-103 at 50-51 (Application).

³⁷⁸ Ex. ITC-103 at 51 (Application).

³⁷⁹ Ex. ITC-103 at 51 (Application).

species were not identified through the DNR Minnesota Conservation Explorer and are at least 3.4 miles from the Proposed Route.³⁸⁰

182. Limited impacts are anticipated from the Project on state listed species. The Project Area is not suitable breeding and foraging habitat for the Trumpeter swan, Forester's tern, and Henslow's sparrow; however, it is possible that they will fly through the Project area.³⁸¹

b. Federally-Listed Species

183. Federally-listed species include prairie bush clover, the western prairie fringed orchid, the tricolored bat, and the monarch butterfly.³⁸²

184. Suitable habitat for the prairie bush clover is not present within the Proposed Route; therefore, impacts are not anticipated.³⁸³ Suitable habitat for the western prairie fringed orchid is not present within the Proposed Route; therefore, impacts are not anticipated.³⁸⁴

185. Potential impacts to individual tricolored bats may occur if clearing or construction takes place when the species is roosting in its summer habitat, in trees outside of hibernacula.³⁸⁵ Bats may be injured or killed if occupied trees are cleared during this active window.³⁸⁶ Impacts on tricolored bats could be minimized by conducting tree clearing activities while the bats are hibernating during their inactive season and avoiding tree removal from June 1 through August 15.³⁸⁷ Suitable habitat for the tricolored bat is present within the Proposed Route. ITC Midwest will consult with USFWS on any necessary tricolored bat avoidance or mitigation measures.³⁸⁸

186. Suitable habitat for monarchs may be present within the Project Study Area.³⁸⁹ If the USFWS determines monarch butterflies should be listed and protections for the species will coincide with Project planning, permitting, and/or construction, the Applicant will review Project activities for potential impacts and consult with USFWS to develop appropriate mitigation and avoidance measures.³⁹⁰

187. ITC Midwest will follow general measures to help avoid or minimize impacts to area wildlife and rare natural resources during and after the completion of the proposed Project, including: Best Management Practices to prevent erosion of the soils in the areas of impact; sound water and soil conservation practices during construction and operation

³⁸⁰ Ex. ITC-103 at 51 (Application).

³⁸¹ Ex. ITC-103 at 53 (Application).

³⁸² Ex. ITC-103 at 52 (Application).

³⁸³ Ex. ITC-103 at 53 (Application).

³⁸⁴ Ex. ITC-103 at 53 (Application).

³⁸⁵ Ex. ITC-103 at 53 (Application).

³⁸⁶ Ex. ITC-103 at 53 (Application).

³⁸⁷ Ex. EERA-206 at 7 (EA).

³⁸⁸ Ex. ITC-103 at 53 (Application).

³⁸⁹ Ex. ITC-103 at 54 (Application).

³⁹⁰ Ex. ITC-103 at 54 (Application).

of the Project to protect topsoil and adjacent water resources and minimize soil erosion; and bird diverters will be installed across the listed Public Water Inventory waterways.³⁹¹

G. Application of Various Design Considerations

188. Minnesota's HVTL routing factors require consideration of the Project's applied design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of the transmission system in the area.³⁹²

189. The Project is designed to maintain reliability requirements in the area and is sized to accommodate electric demand growth. The Project transmission line will not be designed to accommodate future double-circuiting, but the Forks Switching Station will be laid out to accommodate future expansion for future additional transmission line interconnections.³⁹³

H. Use of or Paralleling of Existing Rights-of-Way, Survey Lines, Natural Division Lines, and Agricultural Field Boundaries.

190. Minnesota's HVTL routing factors require consideration of the Project's use of or paralleling of existing ROWs, survey lines, natural division lines, and agricultural field boundaries.³⁹⁴

191. The Proposed Route parallels existing road ROW for 100 percent of its length.³⁹⁵

I. Use of Existing Transportation, Pipeline, and Electrical Transmission System Rights-of-Way.

192. Minnesota HVTL routing factors require consideration of the Project's use of existing transportation, pipeline, and electrical transmission system ROWs.³⁹⁶

193. The Proposed Route parallels existing road ROW for 100 percent of its length.³⁹⁷

J. Electrical System Reliability.

194. Minnesota's HVTL routing factors require consideration of the Project's impact on electrical system reliability.³⁹⁸

195. This Project, in conjunction with the MRES Lorraine Substation project in Worthington and Great River Energy Rost Substation project and Rost to Lorraine 69 kV

³⁹¹ Ex. ITC-103 at 54 (Application).

³⁹² Minn. Stat. § 216E.03, subd. 7(b)(2); Minn. R. 7850.4100, subp. G.

³⁹³ Ex. ITC-103 at 9 (Application).

³⁹⁴ Minn. Stat. § 216E.03, subd. 7(b)(9); Minn. R. 7850.4100, subp. H.

³⁹⁵ Ex. ITC-103 at 17 (Application); Ex. EERA-206 at 9 (EA).

³⁹⁶ Minn. Stat. § 216E.03, subd. 7(b)(8); Minn. R. 7850.4100, subp. J.

³⁹⁷ Ex. ITC-103 at 17 (Application); Ex. EERA-206 at 9 (EA).

³⁹⁸ Minn. Stat. § 216E.03, subd. 7(b)(5)-(6); Minn. R. 7850.4100, subp. K.

transmission line project, mitigates the existing system low voltage issues and helps ensure long term area reliability when considering existing load and potential future area load growth.³⁹⁹ Accordingly, the Project is anticipated to have a positive impact on electrical system reliability.⁴⁰⁰

K. Costs of Constructing, Operating, and Maintaining the Facility.

196. Minnesota's HVTL routing factors require consideration of the Project's cost of construction, operation, and maintenance.⁴⁰¹

197. ITC Midwest estimates that the Project cost approximately \$13.5 to \$18.8 million to construct.⁴⁰²

198. ITC Midwest estimates the annual operation and maintenance costs for the Project to be similar to ITC Midwest's other transmission lines in Minnesota which currently is approximately \$2,000 per mile.⁴⁰³

L. Adverse Human and Natural Environmental Effects that Cannot be Avoided

199. Minnesota's HVTL routing factors require consideration of the adverse human and natural environmental effects that cannot be avoided.⁴⁰⁴

200. Unavoidable adverse impacts include the physical impacts to the land due to construction of the Project. The nominal impacts from construction activities will include soil compaction and erosion, short-term traffic delays, short-term disruption of recreational activities, vegetative clearing, visual impacts, habitat loss, and temporary disturbance and displacement of wildlife. The nominal impacts from operations will include the continued maintenance of tall growing vegetation, visual impacts, and individual wildlife impacts. However, as detailed in the Application and the EA, Applicant will employ avoidance, minimization, and mitigation measures to limit Project impacts.⁴⁰⁵

M. Irreversible and Irretrievable Commitments of Resources

201. Minnesota's HVTL routing factors require consideration of the irreversible and irretrievable commitments of resources that are necessary for the Project.⁴⁰⁶

202. The commitment of a resource is irreversible when it is impossible or very difficult to redirect that resource for a different future use.⁴⁰⁷ An irretrievable commitment

³⁹⁹ Ex. ITC-103 at 3 (Application).

⁴⁰⁰ Ex. ITC-103 at 3 (Application).

⁴⁰¹ Minn. R. 7850.4100, subp. L.

⁴⁰² Ex. ITC-103 at 10 (Application).

⁴⁰³ Ex. ITC-103 at 10 (Application).

⁴⁰⁴ Minn. Stat. § 216E.03, subd. 7(b)(6); Minn. R. 7850.4100, subp. M.

⁴⁰⁵ Ex. ITC-103 (Application); Ex. EERA-206 at 109 (EA).

⁴⁰⁶ Minn. Stat. § 216E.03, subd. 7(b)(11); Minn. R. 7850.4100, subp. N.

⁴⁰⁷ Ex. EERA-206 at 109 (EA).

refers to the use or consumption of a resource such that it is not recoverable for later use by future generations.⁴⁰⁸

203. The commitment of land for a transmission line ROW is likely an irreversible commitment.⁴⁰⁹ In general, lands in the rights-of-way of large infrastructure projects such as railroads, highways, and transmission lines remain committed to these projects for a relatively long period of time.⁴¹⁰ This said, transmission line rights-of-way can be returned to a previous use (e.g., row crop, pasture) by the removal of structures and structure foundations to a depth that supports this use.⁴¹¹

204. There are few commitments of resources associated with the Project that are irretrievable.⁴¹² These commitments include the steel, concrete, and hydrocarbon resources committed to the Project, though it is possible that the steel could be recycled at some point in the future.⁴¹³ Labor and fiscal resources required for the Project are also irretrievable commitments.⁴¹⁴

VIII. SPECIAL ROUTE PERMIT CONDITIONS

205. The draft Route Permit provided as Appendix E recommended inclusion of several special permit conditions into the final Route Permit.⁴¹⁵ These special conditions were proposed by the DNR in its two comment letters.⁴¹⁶ The record supports inclusion of the conditions discussed below.

206. 6.1 Calcareous Fen: Should any calcareous fens be identified within the Project area, ITC Midwest must work with DNR to determine if any impacts will occur during any phase of the Project. If the Project is anticipated to impact any calcareous fens, ITC Midwest must develop a Calcareous Fen Management Plan in coordination with the DNR, as specified in Minn. Stat. § 103G.223. Should a Calcareous Fen Management Plan be required, the approved plan must be submitted currently with the plan and profile.⁴¹⁷

207. 6.2 Facility Lighting: For all new lighting installations at Project substations and facilities associated with substations, ITC Midwest shall utilize downlit and shielded lighting to reduce harm to birds, insects, and other animals. Lighting utilized shall minimize blue hue. ITC Midwest shall keep records of compliance with this condition and provide them upon the request of Commission staff.⁴¹⁸

⁴⁰⁸ Ex. EERA-206 at 109 (EA).

⁴⁰⁹ Ex. EERA-206 at 109 (EA).

⁴¹⁰ Ex. EERA-206 at 109 (EA).

⁴¹¹ Ex. EERA-206 at 109 (EA).

⁴¹² Ex. EERA-206 at 109 (EA).

⁴¹³ Ex. EERA-206 at 109 (EA).

⁴¹⁴ Ex. EERA-206 at 109 (EA).

⁴¹⁵ Ex. EERA-206 at Appendix E at 13-14 (EA).

⁴¹⁶ DNR Comments (Dec. 24, 2024) (eDockets No. [202412-213319-01](#) and [202412-213319-02](#)); DNR Comment Letter (June 6, 2025) (eDocket No. [20256-219664-01](#) and [20256-219664-01](#)).

⁴¹⁷ Ex. EERA-206 at Appendix E at 13 (EA).

⁴¹⁸ Ex. EERA-206 at Appendix E at 13-14 (EA).

208. 6.3 Dust Control: To protect plants and wildlife from chloride products that do not break down in the environment, ITC Midwest is prohibited from using dust control products containing calcium chloride or magnesium chloride during construction and operation of the Project. ITC Midwest shall keep records of compliance with this condition and provide them upon the request of Commission staff.⁴¹⁹

209. 6.4 Wildlife-Friendly Erosion Control: ITC Midwest shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives.⁴²⁰

210. In addition, in its June 6, 2025 letter, the DNR also proposed a special condition related to avian flight diverters.⁴²¹ The record supports inclusion of this condition as listed below.

211. 6.5 Avian Protections: ITC Midwest in cooperation with the DNR shall identify areas of the transmission line where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices. ITC Midwest shall submit documentation of its avian protection coordination with the plan and profile.

IX. NOTICE

212. Minnesota law requires an applicant to provide certain notice to the public and local governments before and after the filing of an application for a Route Permit.⁴²²

213. The Applicant provided notice to the public and local governments in satisfaction of legal requirements.⁴²³

214. Minnesota law also required EERA and the Commission to provide certain notice to the public throughout the Route Permit process.⁴²⁴ EERA and the Commission provided notices in satisfaction of legal requirements.⁴²⁵

⁴¹⁹ Ex. EERA-206 at Appendix E at 14 (EA).

⁴²⁰ Ex. EERA-206 at Appendix E at 14 (EA).

⁴²¹ DNR Comment Letter (June 6, 2025) (eDocket No. [20256-219664-01](#) and [20256-219664-01](#)).

⁴²² Minn. Stat. § 216E.03, subd. 3a; Minn. Stat. § 216E.03, subd. 4; Minn. R. 7850.2100, subp. 2; Minn. R. 7850.2100, subp. 4.

⁴²³ Service to General List and Landowner List (Nov. 11, 2024) (eDocket No. [202411-211611-02](#)); Service to Stakeholder List (Nov. 11, 2024) (eDocket No. [202411-211611-03](#)).

⁴²⁴ Minn. Stat. § 216E.03, subd. 6; Minn. Stat. § 216E.04, subd. 6; Minn. R. 7850.2300, subp. 2; Minn. R. 7850.3700, subps. 2, 3, and 6.

⁴²⁵ Notice of Comment Period on Application Completeness (Oct. 4, 2024) (eDocket No. [202410-210704-01](#)); Notice of Public Information and Environmental Assessment Scoping Meeting (Nov. 19, 2024) (eDocket No. [202411-212151-01](#)); Notice of Public Hearings and Availability of Environmental Assessment (April 29, 2025) (eDocket No. [20254-218250-01](#)); EQB Public Hearing Notice (May 5, 2025) (eDocket No. [20255-218585-01](#)); EQB Scoping Meeting Notice (May 5, 2025) (eDocket No. [20255-218584-01](#)).

X. COMPLETENESS OF EA

215. The Commission is required to determine the completeness of the EA.⁴²⁶ An EA is complete if it and the record address the issues and alternatives identified in the Scoping Decision.⁴²⁷

216. The evidence in the record demonstrates that the EA is complete because the EA and the record created at the public hearings and during the subsequent comment period address the issues and alternatives raised in the Scoping Decision.

Based on the foregoing Findings of Fact and the record in this proceeding, the Judge makes the following:

CONCLUSIONS OF LAW

1. Any of the forgoing Findings of Fact more properly designated as Conclusions of Law are hereby adopted as such.

2. The Commission has jurisdiction to consider the Application.

3. The Commission determined that the Application was substantially complete and accepted the Application on November 12, 2024.

4. EERA conducted an appropriate environmental analysis for the Project for purposes of this Route Permit proceeding, and the EA satisfies Minn. R. 7850.3700 and 7850.3900. Specifically, the EA and the record address the issues identified in the Scoping Decision to a reasonable extent considering the availability of information, and the EA includes the items required by Minn. R. 7850.3700, subp. 4, and was prepared in compliance with the procedures in Minn. R. 7850.3700.

5. The Applicant gave notice as required by Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4.

6. A public hearing was conducted near the Proposed Route. Proper notice of the public hearing was provided, as required by Minn. Stat. § 216E.04, subd. 6, and the public was given the opportunity to speak at the hearing and to submit written comments. All procedural requirements for the Route Permit were met.

7. The evidence in the record demonstrates that the Proposed Route satisfied the Route Permit factors set forth in Minn. Stat. § 216E.04, subd. 8 (referencing Minn. Stat. § 216E.03, subd. 7) and Minn. R. 7850.4100.

8. There is no feasible and prudent alternative to the construction of the Project, and the Project is consistent with and reasonably required for the promotion of public health and welfare in light of the state's concern for the protection of its air, water, land, and other natural resources as expressed in MERA.

⁴²⁶ Minn. R. 7850.3900, subp. 2.

⁴²⁷ Minn. R. 7850.3900, subp. 2.

9. The evidence in the record demonstrates that the Proposed Route is the best route for the Project.

10. The evidence in the record demonstrates that the general Route Permit conditions are appropriate for the Project.

11. The evidence in the record demonstrates that the special conditions identified in Section VII, above, are appropriate for the Project.

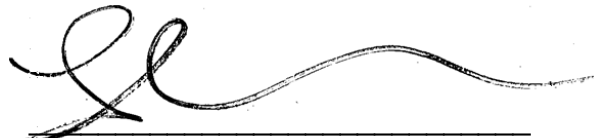
12. Any of the foregoing Conclusions of Law which are properly designated Findings of Fact are hereby adopted as such.

Based upon these Conclusions, the Judge makes the following:

RECOMMENDATION

Based upon these Conclusions, the Commission should issue a Route Permit for the Applicant's Proposed Route, permitting ITC Midwest to construct and operate the Project and associated facilities in Jackson County, and the Route Permit should include the permit conditions as set forth in the Findings above.

Dated: September 22, 2025

A handwritten signature in black ink, appearing to read 'Jm', followed by a long horizontal line.

JIM MORTENSON
Administrative Law Judge

NOTICE

A party that may be adversely affected by the recommendation in this Report, if adopted by the Commission, may file exceptions to the Report under the time frames set for the in the Prehearing Order dated January 15, 2025. Exceptions should be specific and stated and numbered separately. Oral argument before the Commission will be permitted pursuant to Part 7829.2700, subp. 3. The Commission will make the final determination after the expiration of the period for filing exceptions, or after oral argument, if an oral argument is held.

The Commission may, at its own discretion, accept, modify, or reject the Administrative Law Judge's recommendations. The recommendations of the Judge have no legal effect unless expressly adopted by the Commission as its final order.

September 22, 2025

See Attached Service List

Re: *In the Matter of the Application of ITC Midwest LLC for a Route Permit for 161 kV Transmission Line from the Forks Substation to the Rost Substation*

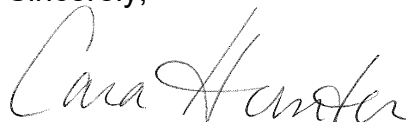
**CAH 5-2500-40519
MPUC ET-6675/TL-24-232**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATIONS** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7970, cara.hunter@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,


CARA HUNTER
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of ITC Midwest LLC for a Route Permit for 161 kV Transmission Line from the Forks Substation to the Rost Substation	CAH Docket No.: 5-2500-40519 MPUC ET-6675/TL-24-232
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On September 22, 2025, a true and correct copy of the **FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATIONS** was served by eService, and United States mail, (in the manner indicated on the attached service list) to the following individuals:

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Katherine	Arnold	katherine.arnold@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	24-232Official CC Service List
2	Sasha	Bergman	sasha.bergman@state.mn.us		Public Utilities Commission		Electronic Service		No	24-232Official CC Service List
3	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		No	24-232Official CC Service List
4	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	24-232Official CC Service List
5	Bret	Eknes	bret.eknes@state.mn.us		Public Utilities Commission	Suite 350 121 7th Place East St. Paul MN, 55101-2147 United States	Electronic Service		No	24-232Official CC Service List
6	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	24-232Official CC Service List
7	Jacques	Harvieux	jacques.harvieux@state.mn.us		Public Utilities Commission	121 7th Place East Suite 350 Saint Paul MN, 55101-2147 United States	Electronic Service		No	24-232Official CC Service List
8	Valerie	Herring	vherring@taftlaw.com	Taft Stettinius & Hollister LLP		2200 IDS Center 80 S. Eighth Street Minneapolis MN, 55402 United States	Electronic Service		No	24-232Official CC Service List
9	Raymond	Kirsch	raymond.kirsch@state.mn.us		Department of Commerce	85 7th Place E Ste 500 St. Paul MN, 55101 United States	Electronic Service		No	24-232Official CC Service List
10	James	Mortenson	james.mortenson@state.mn.us		Office of Administrative Hearings	PO BOX 64620 St. Paul MN, 55164-0620 United States	Electronic Service		Yes	24-232Official CC Service List
11	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	24-232Official CC Service List
12	Mark	Rothfork	mrothfork@itctransco.com	ITC Midwest LLC		100 East Grand Ave, Suite 360 Des Moines IA, 50309 United States	Electronic Service		No	24-232Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
13	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix & Associates		7400 Lyndale Avenue South Suite 190 Richfield MN, 55423 United States	Electronic Service		Yes	24-232Official CC Service List