

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben
Hwikwon Ham
Valerie Means
Joseph K. Sullivan
John A. Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Great River
Energy for a Route Permit for the 115-kV Pilot
Knob to Burnsville Rebuild and Upgrade Project
in Dakota County, Minnesota

SERVICE DATE: April 16, 2024

DOCKET NO. ET-2/TL-23-410

The above-entitled matter has been considered by the Commission and the following disposition made:

Accepted Great River Energy's proposed route (Figure 1-1) for the Pilot Knob to Burnsville project as the sole routing alternative included in the scoping decision for the Environment Assessment (EA).

This decision is issued by the Commission's consent calendar subcommittee, under a delegation of authority granted under Minn. Stat. § 216A.03, subd. 8 (a). Unless a party, a participant, or a Commissioner files an objection to this decision within ten days of receiving it, it will become the Order of the full Commission under Minn. Stat. § 216A.03, subd. 8 (b).

The Commission agrees with and adopts the recommendations of the Department of Commerce, which are attached and hereby incorporated into the Order.

BY ORDER OF THE COMMISSION



Will Seuffert
Executive Secretary



To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

March 27, 2024

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

RE: EERA Comments and Recommendations on the EA Scoping Summary
Pilot Knob to Burnsville 115 kV Transmission Line Rebuild and Upgrade Project
Route Permit Application
Docket No. ET2/TL-23-410

Dear Mr. Seuffert,

Attached are comments and recommendations of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of Application of Great River Energy for a Route Permit for the 115-kV Pilot Knob to Burnsville Rebuild and Upgrade Project in Dakota County, Minnesota

The route permit application was filed on November 17, 2023, by:

Mark Strohfus
Great River Energy
12300 Elm Creek Boulevard
Maple Grove, MN 55369-5000

EERA staff recommends that the final EA scoping decision be developed for the Pilot Knob to Burnsville project, and GRE's proposed route be the sole routing alternative considered.

EERA staff is available to answer any questions the Commission may have.

Sincerely,



Richard Davis
Environmental Review Manager

Page intentionally left blank.



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS COMMENTS AND RECOMMENDATIONS

PILOT KNOB TO BURNSVILLE 115-KV REBUILD AND UPGRADE PROJECT DOCKET No. ET2/TL-23-410

Date: March 27, 2024

Staff: Richard Davis | 651-539-1846 | richard.davis@state.mn.us

In the Matter of Application of Great River Energy for a Route Permit for the Pilot Knob to Burnsville 115-kV Rebuild and Upgrade Project in Dakota County, Minnesota

Issues Addressed: These comments and recommendations address the environmental assessment (EA) scoping process and those alternatives which Department of Commerce staff recommends for inclusion in the scope of the EA.

Tables and Figures:

Table 1: Scoping Commenters

Table 2: Summary of Comments

Figure 1-1: Project Overview Map

Additional documents and information can be found on eDockets
<https://www.edockets.state.mn.us/EFiling/search.jsp> (year="23" and number "410")

This document can be made available in alternative formats, i.e., large print or audio tape, by calling 651-539-1530.

Introduction and Background

On November 17, 2023, Great River Energy (Applicant or GRE) submitted a high voltage transmission line (HVTL) Route Permit Application (RPA) to the Minnesota Public Utilities Commission (Commission) for the Pilot Knob to Burnsville 115 kV Transmission Line Rebuild and Upgrade Project (Project).¹ On

¹ Route Permit Application for the Pilot Knob to Burnsville 115 kV Transmission Line Rebuild and Upgrade Project, Great River Energy, November 17, 2023, eDockets Numbers – Filing Letter [202311-200563-01](#), Application [202311-200563-02](#), Figures [202311-200563-03](#), [202311-200563-04](#), [202311-200563-05](#), [202311-200563-06](#), Appendix A

January 17, 2024, the Commission accepted the RPA as complete and authorized Department of Commerce, Energy Environmental Review and Analysis (EERA) staff to prepare an environmental assessment (EA) for the project.²

Project Purpose and Description

The Applicant indicates that the proposed Project is needed to maintain transmission system reliability, prepare for future load growth, and preserve the existing looping system allowing the Deerwood and River Hill substations to serve customers in both directions along the transmission line. The Deerwood and River Hill substations provide service to Dakota Electric Association's electric cooperative members. The Applicant states that the new equipment will meet modern design standards and provide the ability to operate the line at a higher voltage.³

The Project would rebuild and upgrade three portions of approximately 8.75 miles of an existing 69 kilovolt (kV) line with 115 kV high voltage transmission line (HVTL). The three sections of the HVTL rebuild and upgrade include the following: 1) between the existing Pilot Knob and Deerwood substations, 2) between the existing Deerwood and River Hills substations, and 3) between the existing River Hills and Burnsville substations. The existing Burnsville Substation will be upgraded and modified as part of the Project. The Project is located in the cities of Eagen, Burnsville, and Apple Valley, Dakota County, Minnesota (**Figure 1**).

Regulatory Process and Procedures

In Minnesota, no person may construct a high voltage transmission line without a route permit from the Commission.⁴ A high voltage transmission line is defined as a conductor of electric energy designed for and capable of operation at a voltage of 100 kV or more and greater than 1,500 feet in length.⁵ The proposed project will consist of approximately 8.75 miles of 115 kV transmission line and therefore requires a route permit from the Commission. Because the Applicant's proposed Project is between 100 to 200 kV, the project is eligible to use the alternative review process prescribed by Minnesota Statute 216E.04.⁶ The applicants indicated their intent to use the alternative review process by notice to the Commission on October 31, 2023.⁷

The proposed Project will operate at a voltage greater than 100 kV, but it will not be more than 10 miles in length and it will not cross a state line; accordingly, the project is not a large energy facility and does not require a certificate of need from the Commission.⁸

[202311-200563-07](#) , [202311-200563-08](#) , Appendix B and C [202311-200563-09](#) , Appendix D [202311-200564-01](#) , [202311-200564-02](#) , [202311-200564-03](#) , Appendices E-I [202311-200564-04](#) [hereinafter Application or RPA].

² Commission Order. January 17, 2024, eDocket 20241-202249-01

³ Application, Section 1.5

⁴ Minnesota Statute 216E.03.

⁵ Minnesota Statute 216E.01.

⁶ Minnesota Statute 216E.04, Subd. 2 (noting those projects that are eligible to proceed under an alternative permitting process).

⁷ Notice of Intent to File a Route Permit Application for the Pilot Knob to Burnsville Transmission Line Upgrade Project Pursuant to the Alternative Permitting Process, October 31, 2023, eDockets Number [202311-200750-01](#)

⁸ Minnesota Statute 216B.2421

Environmental Review

Route permit applications are subject to environmental review. The alternative permitting process requires completion of an environmental assessment (EA), which is prepared by EERA staff.⁹ An EA contains an overview of the resources affected by the project and discusses potential human and environmental impacts and mitigation measures.¹⁰ Under the alternative permitting process an EA is the only required state environmental review document.¹¹

EERA conducts public scoping meetings in conjunction with a public comment period to inform the content of the EA (i.e., scoping).¹² The Department of Commerce determines the scope of the EA,¹³ and may include alternative routes suggested during the scoping process if they would aid the Commission in making a permit decision.¹⁴

Scoping Summary

Commission and EERA staff jointly held a remote-access public information and EA scoping meeting on February 20, 2024, and a joint in-person public information and EA scoping meeting was held at the Diamondhead Education Center in Burnsville on February 21, 2024. The purpose of the meetings was to provide information to the public about the proposed Project, to answer questions, and to allow the public an opportunity to identify impacts and alternatives that should be considered during preparation of the EA.

Scoping Comments

Five people attended the remote meeting, and four persons attended the in-person public information and scoping meeting. There were three public comments received during the remote virtual meeting, and no comments received during the in-person meeting.^{15,16} During the comment period, which closed on March 6, 2024, five written public comments were received – two from the general public and three from state agencies.^{17,18}

Comments received ranged from statements of support for (or opposition to) the proposed project, to specific concerns or perceived impacts. An identification number was assigned to each commenter (**Table 1**). For individuals who submitted comments containing multiple points, sequential numbers were assigned to each commenter's distinct point; for example, comment 4-2 refers to the 2nd comment by the commenter assigned as number 4. Comments are summarized in (**Table 2**).

⁹ Minn. Stat. 216E.04, subd. 5; Minn. R. 7850.3700, subp. 1.

¹⁰ Minn. Stat. 216E.04, subd. 5; Minn. R. 7850.3700, subp. 4.

¹¹ Minn. Stat. 216E.04, subd. 5.

¹² Minn. R. 7850.3700, subp. 2.

¹³ Id. at subp. 3.

¹⁴ Id. at subp. 2.

¹⁵ Virtual Meeting – Oral Public Comments, March 4, 2024. eDocket [20243-204045-02](#)

¹⁶ In-person Meeting – Oral Public Comments, March 4, 2024. eDocket [20243-204045-01](#)

¹⁷ Written Comment, Shannon Marcus, February 21 and 22, 2024. eDocket [20243-204565-01](#)

¹⁸ Written Comments, Agencies, March 6, 2024. eDocket [20243-204563-01](#)

Table 1: Scoping Commenters

Commenter Number	Commenter Name	Commenter Agency or Organization
Oral Commenter – Public Meetings¹⁹		
1	Steve Smith	Private Citizen, Local radio station
2	Todd Bentley	Dakota County, Right-of-way Permits Manager
3	Clark Nordberg	Private Citizen, Eastern Lutheran Church
Written Commenter		
4 ²⁰	Shannon Marcus	Private Citizen, Border Foods Real Estate Development Assistant
5 ²¹	Stacy Kotch Egstad	Minnesota Department Transportation (MnDOT)
6 ²²	Cynthia Warzecha	Minnesota Department Natural Resources (DNR)
7 ²³	Angela Torres/Sandi Dingle	Metropolitan Council

Table 2: Summary of Comments

Comment Number	Summary of Comment
1-1 ²⁴	<p>Mr. Smith’s expressed concern that new steel poles associated the transmission line may cause some interference with broadcasting from the radio station.</p> <p>Mark Strohfus with GRE stated he was not aware of any interference between the steel transmission poles that may be used for the proposed project, and he asked Mr. Smith to contact him directly to discuss the topic. Mr. Davis, with EERA, also informed Mr. Smith that potential interference impacts will be looked at in the EA.</p>
2-1 ²⁵	<p>Mr. Bentley asked for some clarification on if the proposed construction timeline included the tree clearing necessary for the proposed project.</p> <p>Mr. Strohfus, with GRE confirmed, during the virtual meeting, that the proposed construction schedule does include tree clearing activities.</p>

¹⁹ Virtual Meeting – Oral Public Comments, March 4, 2024. eDocket [20243-204045-02](#)

²⁰ Written Comment, Shannon Marcus, February 21 and 22, 2024. eDocket [20243-204565-01](#)

²¹ Written Comment, MnDOT, March 6, 2024. eDocket [20243-204107-01](#)

²² Written Comment, MDNR, March 6, 2024. eDocket [20243-204106-01](#)

²³ Written Comment, Met Council, March 6, 2024. eDocket [20243-204563-01](#)

²⁴ Virtual Meeting - Public Comment, Steve Smith, March 4, 2024. eDocket [20243-204045-02](#)

²⁵ Virtual Meeting - Public Comment, Todd Bentley, March 4, 2024. eDocket [20243-204045-02](#)

Comment Number	Summary of Comment
3-1 ²⁶	<p>Mr. Nordberg was wondering if construction activities along Pilot Knob Road associated with the proposed project would cause any disruptions with the entries or exits for the two Eastern Lutheran Church locations.</p> <p>Mr. Strohfus confirmed that there would be construction and truck traffic along Pilot Knob Road during construction, but there will flagging vehicles and signage to maintain traffic flow and construction would not block entrances and exits to the churches.</p>
4-1 ²⁷	<p>Ms. Marcus is a resident in the project area, as well as the Real Estate Development Assistant for Border Foods. Ms. Marcus inquired as to whether the proposed project would impact the electrical service and/or access to the drive thru at the Taco Bell store at 2000 Cliff Road, Eagan, MN 55122.</p>
4-2	<p>Ms. Marcus also inquired if the proposed project would be using the larger, rusty-looking steel poles.</p>
5-1 ²⁸	<p>Stacy Kotch Egstad (MnDOT) stated that MnDOT is aware of the project and has met with GRE multiple time to discuss the project’s potential effects on the State Trunk Highways 13 and 77 and Interstate 35E.</p>
5-2	<p>MnDOT noted GRE will need to coordinate with MnDOT when planning for the following – oversized loads, holiday travel restrictions, seasonal load limits, vertical and width restrictions, and updates to escort vehicle requirements for oversized loads.</p>
5-3	<p>MnDOT noted that GRE and their contractors should familiarize themselves with both MnDOT’s Utility Accommodation on Highway Right of Way Policy and Utility Accommodation and Coordination Manual.</p>
5-4	<p>Should the Commission issue a Route Permit to GRE for this project, continued early coordination with MnDOT agency is strongly encouraged. Any MnDOT permits applied for as a part of this project may not be issued until the Commission has issued an approved Route Permit for this project.</p>
6-1 ²⁹	<p>Cynthia Warzecha (DNR) noted several points that that the DNR wanted to ensure the EA covered including the Blanding’s turtle, possible tree removal minimization, minimization of substation facility lighting impacts on wildlife, the use of non-chloride dust suppressants to control fugitive dust, and the importance of using wildlife-friendly erosion control.</p>

²⁶ Virtual Meeting - Public Comment, Clark Nordberg, March 4, 2024. eDocket [20243-204045-02](#)

²⁷ Written Comment, Shannon Marcus, February 21 and 22, 2024. eDocket [20243-204565-01](#)

²⁸ Written Comment, MnDOT, March 6, 2024. eDocket [20243-204107-01](#)

²⁹ Written Comment, MDNR, March 6, 2024. eDocket [20243-204106-01](#)

Comment Number	Summary of Comment
7-1 ³⁰	Angela Torres with the Metropolitan Council indicated they had no formal action to take on the EA scope. There is a Metropolitan Council Interceptor within the project area, and GRE needs to contact and coordinate with the Metropolitan Council Environmental Services to obtain an Encroachment Agreement before beginning construction.

Scoping Alternatives Suggested

During the EA scoping comment period no alternative routes, alternative route segments, or modifications to the alignment proposed by GRE in their RPA were suggested.

EERA Staff Analysis and Comments

The commissioner of the Department of Commerce is charged with including suggested routes in the scope of an environmental assessment only if the commissioner determines that evaluation of the proposed route will assist in the Commission's ultimate decision on the permit application.³¹ For GRE's proposed Pilot Knob to Burnsville project, no alternative routes or alignments were proposed for the project.

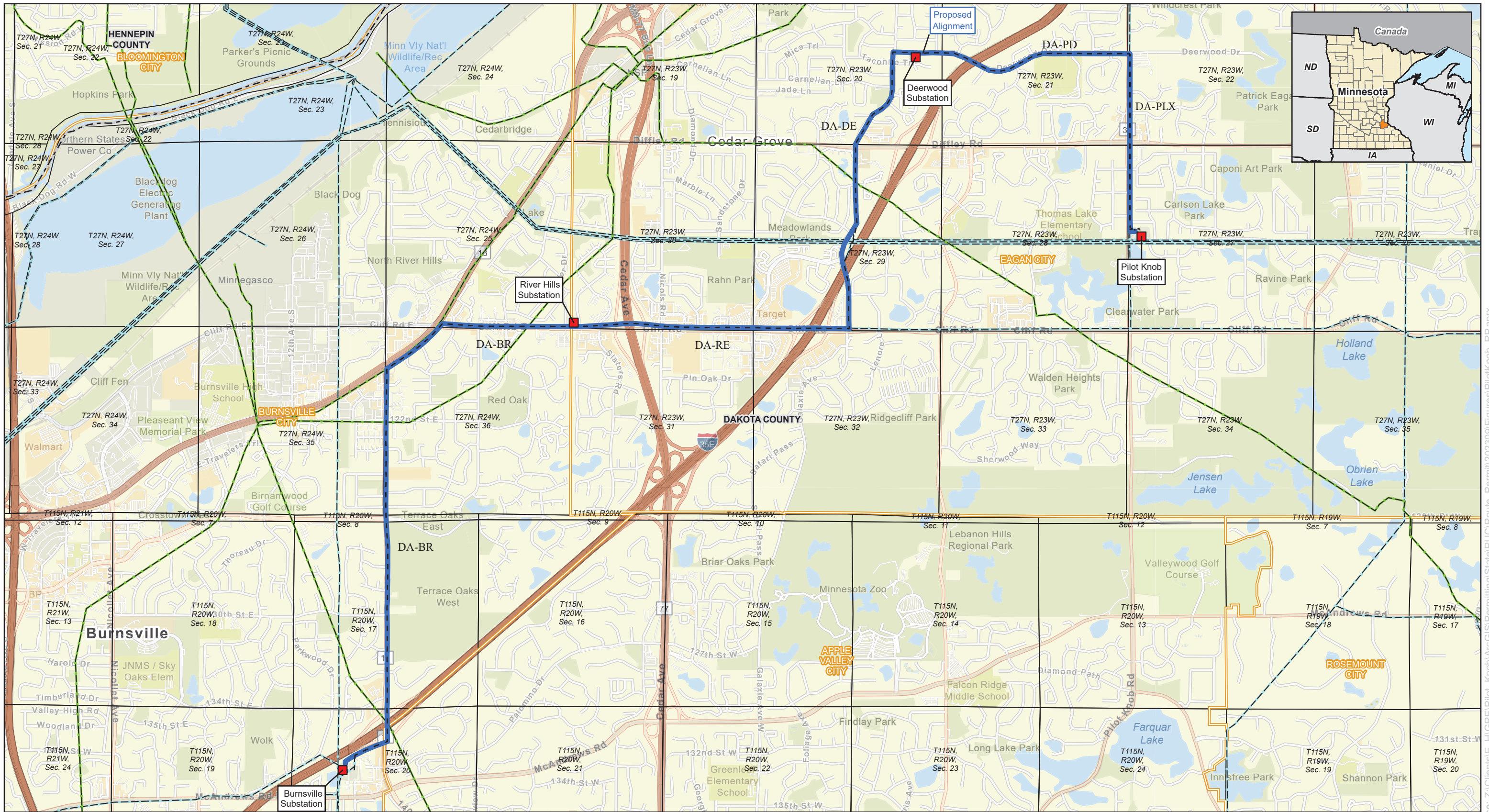
DNR requested that in areas where GRE has requested a wider route width, the EA evaluate measures to minimize tree removal. DNR did not identify any specific routing alternatives with respect to minimizing tree removal, but EERA will provide analysis specific to minimization of tree removal along the route where it is possible.

EERA Staff Recommendation

EERA staff recommends that GRE's proposed route (**Figure 1-1**) for the Pilot Knob to Burnsville project be the sole routing alternative included in the scoping decision for the EA.

³⁰ Written Comment, Met Council, March 6, 2024. eDocket [20243-204563-01](#)

³¹ Minnesota Rule 7850.3700, subpart 2 (B).



0 1,300 2,600 Feet
1 inch = 2,600 feet



Figure 1-1
Pilot Knob to Burnsville Rebuild and Upgrade Project
Proposed Alignment
Dakota County, Minnesota

- | | | |
|----------------------------------|-------------------------------|-----------------------|
| Great River Energy | Non-GRE Transmission | County Highway |
| Proposed Alignment | Existing Natural Gas Pipeline | State Highway |
| Existing Substation | Existing Transmission Line | Section Boundary |
| Existing Transmission Line (GRE) | | City Boundary |
| | | County Boundary |

CERTIFICATE OF SERVICE

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

Minnesota Public Utilities Commission ORDER

Docket Number: **ET-2/TL-23-410**

Dated this **16th** day of **April, 2024**

/s/ Robin Benson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Brock	FLUEGGE	brock@lakesideins.com	Lakeside Insurance Brokers	11979 County Rd 11 Ste 270 Burnsville, MN 55337	Electronic Service	No	OFF_SL_23-410_Official CC Service List
Kellie	LeClair	scokejolo@msn.com		4100 Blackhawk Road Eagan, MN 55122	Electronic Service	No	OFF_SL_23-410_Official CC Service List
James	Mortenson	james.mortenson@state.mn.us	Office of Administrative Hearings	PO BOX 64620 St. Paul, MN 55164-0620	Electronic Service	Yes	OFF_SL_23-410_Official CC Service List
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes	OFF_SL_23-410_Official CC Service List
Sarah	Turton	sturton@agreerealty.com		Agree Stores, LLC (Bldg. MN-301629) 32301 Woodward Avenue Royal Oak, MI 48073	Electronic Service	No	OFF_SL_23-410_Official CC Service List
Kathy	Zeroth	kathyzerm@gmail.com		4134 Signal Pointe Eagan, MN 55122	Electronic Service	No	OFF_SL_23-410_Official CC Service List