

Staff Briefing Papers

Meeting Date: September 10, 2019

Agenda Item *1

Company: Great River Energy

Docket No. ET2/TL-19-311


In the Matter of the Application of Great River Energy for a Route Permit for a 115 kV High Voltage Transmission Line to Accommodate the Lake Eunice Substation Conversion in Becker County

- Issue:
- Should the Commission find that the environmental assessment and the record created at the public hearing adequately address the issues identified in the scoping decision?
 - Should the Commission issue a route permit identifying a specific route and permit conditions for the Lake Eunice 115 kV Transmission Line Project in Lake Eunice Township, Becker County?

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	Relevant Documents	Date
	Application for a High-Voltage Transmission Line Route Permit (2 Parts)	06/04/2019
	Order Finding Application Complete and Referring Matter to the Office of Administrative Hearings	08/05/2019
	Order Adopting the Department's Recommendations on the Scoping Decision	11/07/2019
	Environmental Assessment Scoping Decision	11/15/2019

These materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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	Environmental Assessment	01/24/2020
	Public Hearing Master Exhibit List	05/27/2020
	Report to the Commission (Administrative Law Judge)	06/17/2020
	Great River Energy Proposed Findings of Fact and Conclusions of Law (2 Parts)	07/01/2020

Attachments

Proposed Findings of Fact and Conclusions of Law

Proposed High-Voltage Transmission Line Route Permit

I. STATEMENT OF THE ISSUES

- Should the Commission adopt the attached Findings of Fact and Conclusions of Law for the Lake Eunice Transmission Line Project?
- Should the Commission find that the environmental assessment and the record created at the public hearing adequately address the issues identified in the scoping decision?
- Should the Commission issue a route permit identifying a specific route and permit conditions for the Lake Eunice 115 kV Transmission Line Project in Lake Eunice Township, Becker County?

II. PROJECT DESCRIPTION

Great River Energy's (GRE) Lake Eunice Project is a proposed 115 kilovolt (kV) transmission line and substation conversion project located southwest of the city of Detroit Lakes in Lake Eunice Township, Becker County. As described in the GRE's route permit application, the project involves removing a 0.8-mile segment of GRE's existing 41.6 kV LR-LET transmission line and constructing a new 0.8-mile 115 kV transmission line in its place.¹ This segment runs between the Lake Eunice Substation and GRE's LR-CF 115 kV transmission line. GRE is requesting approval of a 200-foot-wide route centered on the existing 41.6 kV transmission line alignment and a 400-foot-wide route around the Lake Eunice Substation. The final right-of-way for the new 115 kV transmission line would be 90 feet wide.

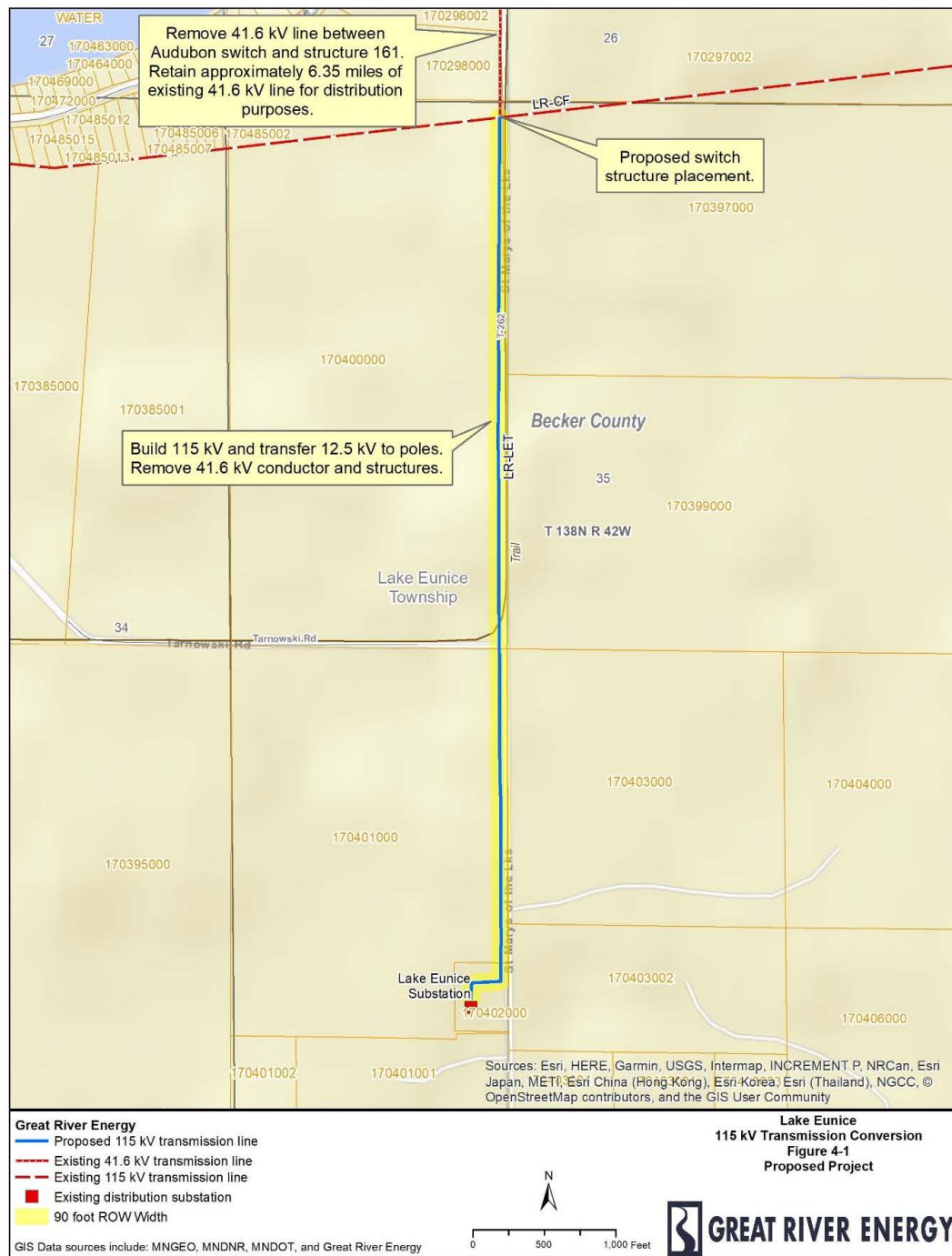
The project also includes: (1) GRE removing the northern 2.85 miles of the 41.6 kV LR-LET transmission line from the Audubon Switch to Structure 161; and (2) Lake Region Electric Cooperative modifying its Lake Eunice Substation, both of which will be permitted under the jurisdiction of Becker County. Upon completion of the project, GRE would own the new 0.8-mile 115 kV transmission line and Lake Region Electric Cooperative would own the Lake Eunice Substation and the remaining 6.59 miles of the 41.6 kV LR-LET transmission line.

As indicated by GRE, the purpose of the project is to improve the reliability of the transmission line feeding the Lake Eunice Substation which will in turn improve electrical service to Lake

¹ The transmission line nomenclature refers to the cooperative member territory the line serves, and the origination and terminus of the line. In this case, LR-LET stands for Lake Region Electric Cooperative-Lake Eunice Tap and LR-CF stands for Lake Region Electric Cooperative-Cormorant substation to Frazee substation.

Region Electric Cooperative members in the rural area southwest of Detroit Lakes, including Lake Eunice, Dunn and Lake View townships.

Figure 1 - Proposed Project



Source: Great River Energy, Lake Eunice 115 kV Transmission Conversion Project Route Permit Application (June 4, 2019), Figure 4-1, Page 4-2.

III. STATUTES AND RULES

A. Route Permit

Minn. Stat. § 216E.03, subd. 2, provides that no high-voltage transmission line shall be sited or constructed in Minnesota without the issuance of a route permit by the Commission. Under Minn. Stat. § 216E.01, subd. 4, a high-voltage transmission line is defined as a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts or more and that is greater than 1,500 feet in length. The project is a new 0.8-mile 115 kV single-circuit transmission line and, therefore, requires a route permit from the Commission.

The project qualified for alternative review because it is a high-voltage transmission line between 100 and 200 kV.² Under the alternative permitting process: (1) the applicant is not required to propose alternative routes in its application, but must identify other routes it examined and discuss the reasons for rejecting those routes; (2) an environmental assessment is prepared instead of an environmental impact statement; (3) a public hearing is conducted, but a contested case hearing is not required.

The project is subject to Minn. Stat. Chapter 216E which requires that high-voltage transmission lines to be routed in a manner consistent with the state's goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security and reliability through efficient, cost-effective power supply and electric transmission infrastructure. The statute also affords the Commission the authority to specify the design, route, right-of-way preparation, facility construction, and any other appropriate conditions it deems necessary when issuing a permit for a high-voltage transmission line. The operative rules for the review of high-voltage transmission line route permit applications are found in Minnesota Rules Chapter 7850.

B. Environmental Assessment

Minn. Stat. § 216E.04, subd. 5, requires the commissioner of the Department of Commerce to prepare an environmental assessment on proposed high-voltage transmission being reviewed under the alternative permitting process. The environmental assessment must contain information on the potential human and environmental impacts of a proposed project and of alternative sites or routes considered and must address mitigation measures for identified impacts.

² Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900.

C. Certificate of Need

Minn. Stat. § 216B.243, subd. 2, provides that no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the Commission. The proposed high-voltage transmission line is not defined as a large energy facility under Minn. Stat. § 216B.2421, subd. 2 (3), because it is less than 10 miles in length and does not cross a state border, therefore, a certificate of need is not required.

IV. PROCEDURAL HISTORY

A. Application Acceptance

On June 4, 2019, GRE filed a route permit application under the alternative permitting process for its Lake Eunice Project.

On August 5, 2019, the Commission issued an order accepting the route permit application as substantially complete and referred the matter to the Office of Administrative Hearings for preparation of a Summary Report.

B. Public Information and Environmental Assessment Scoping Meeting

On September 25, 2019, staff from the Commission and Department of Commerce Energy Environmental Review and Analysis (Department or EERA) conducted a public information and environmental assessment scoping meeting near the proposed project area in Detroit Lakes, Minnesota. Comments on issues for consideration in the scoping decision were accepted through October 9, 2019. The only comments received were from the Minnesota Department of Natural Resources (DNR) and the Minnesota Department of Transportation (MnDOT).

On October 14, 2019, EERA filed comments and recommendations concerning the scope of the environmental assessment. EERA did not recommend any alternative routes, alternative route segments, or alignment modifications for inclusion in the environmental assessment, as none were identified or suggested during scoping period.

On November 7, 2019, the Commission issued an order agreeing with and adopting the Department's October 14 recommendations.

On November 12, 2019, EERA issued the Environmental Assessment Scoping Decision.

On January 24, 2020, EERA issued the Environmental Assessment.

C. Public Hearing

On May 28, 2020, Administrative Law Judge (ALJ), Kimberly Middendorf with the Office of Administrative Hearings presided over a public hearing.³ Due to the COVID-19 pandemic, and pursuant to the Governor's executive orders, the meeting was conducted using remote-access technology. The hearing procedures included brief presentations to describe the permitting process and the proposed project by Commission and EERA staff and the applicant; the introduction of documents to be included in the record; and an opportunity for members of the public to provide comments and ask questions of the applicant and staff. A court reporter was present to transcribe the public hearing. No members of the public spoke at the public hearing. Following the public hearing, a written comment period was open through June 11, 2020. No comments were received during the comment period.

On June 17, 2020, ALJ Middendorf filed a report with the Commission summarizing the public hearing process.

On July 1, 2020, GRE filed proposed Findings of Fact and Conclusions of Law. As indicated in the filing, EERA agreed with GRE's proposed Findings of Fact and Conclusions of Law and did not provide any additional comments or recommendations. Neither GRE or EERA, provided any additional comments or recommendations on the Sample HVTL Route Permit that was filed to eDockets on August 6, 2019, and that was included in Appendix B of the Environmental Assessment.

V. COMMENTS RECEIVED DURING PERMITTING PROCESS

The only comments received during the permitting process for this project were from the DNR and MnDOT during the environmental assessment scoping period. As summarized by ALJ Middendorf in her June 17 Report, the DNR indicated that a public waters work permit may be required in the area between the Audubon Switch and Structure 161;⁴ and MnDOT indicated the project would not likely impact its right-of-way, but may require a miscellaneous permit, and recommended early coordination.⁵ No comments were received by a member of the public.

³ The public hearing was initially noticed and scheduled for March 18, 2020, to be held in the city of Detroit Lakes. However, due to the COVID-19 pandemic, the Commission, on March 16, 2020, issued a press release indicating it suspended all public meetings and hearings from March 16 to 27, 2020, and would assess when and how to best reschedule the meetings and hearings.

⁴ October 3, 2019 DNR Letter (Document ID [201910-156292-01](#)).

⁵ October 8, 2019 MnDOT Letter (Document ID [201910-156433-01](#)).

VI. STAFF DISCUSSION

Based on the information in GRE's Route Permit Application, the analysis provided in the Environmental Assessment, the ALJ Summary Report, and other evidence in the record, staff recommends that the Commission (i) find the Environmental Assessment complete; (ii) approve the attached proposed Findings of Fact and Conclusions of Law (Findings)⁶; and (iii) issue the attached Route Permit for the Lake Eunice Project.

Staff believes the proposed Findings establish that:

- the procedural requirements of the alternative permitting process were conducted in accordance with Minn. Stat. § 216E.04 and the operative rules Minn. R. 7850.2900 to 7850.3900;
- the environmental assessment includes the items required by Minn. R. 7850.3700, subp. 4, was prepared in compliance with the procedures in Minn. R. 7850.3700, and, in combination with the case record, addresses the issues identified in the Scoping Decision; and
- GRE's Proposed Route satisfies 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, and supports issuing a route permit.

In addition to demonstrating that the permitting process and environmental analysis was conducted in accordance with the relevant rules and statutes, staff notes that the Findings also document that:

- No disputed or outstanding issues have been identified within the record of the case.
- No alternative routes for the proposed transmission line were identified during the review process.
- No specific concerns with the proposed project or potential human or environmental impacts were identified by a member of the public during the review process, as no public comments were received.

⁶ The attached Findings were based on GRE's July 1 Proposed Findings of Fact and Conclusions of Law.

- Comments received from DNR and MnDOT only identify certain additional permits that may be necessary should a route permit be granted by the Commission.

The attached Route Permit is based on the Sample Route Permit filed to eDockets at the time of application acceptance and that was included as Appendix B to the Environmental Assessment. Staff believes the Route Permit is informed by the full case record as set forth in the attached proposed Findings and includes the standard permit conditions that generally apply to all high-voltage transmission line route permits issued by the Commission.

The decisions before the Commission are:

Whether to approve Findings of Fact and Conclusions of Law.

The Commission can approve and adopt the attached proposed Findings of Fact and Conclusions of Law or it may amend the Findings of Fact and Conclusions of Law as deemed appropriate. Upon approving Findings of Fact and Conclusions of Law the Commission must make a decision on the Environmental Assessment and Route Permit.

Whether to find the Environmental Assessment Complete.

If the Commission finds the Environmental Assessment complete it moves to its next decision concerning the Route Permit. If the Commission does not find the Environmental Assessment complete, it must identify the reasons it is not complete and request that the Environmental Assessment be revised or supplemented. In this case, a schedule for revising or supplementing the Environmental Assessment would need to be determined and the Commission would revisit its decisions after its completion.

Whether to Issue a Route Permit.

Depending on the previous decisions the Commission can choose to issue a route permit that identifies a specific route and permit conditions, or it can deny the route permit and identify the reason(s) for the denial. Accordingly, the Commission can issue the Route Permit proposed by staff or can amend the Route Permit as deemed appropriate.

VIII. DECISION OPTIONS

A. Findings of Fact and Conclusions of Law

1. Adopt the attached Findings of Fact and Conclusions of Law for the Lake Eunice 115 kV Transmission Line Project.
2. Amend the attached Findings of Fact and Conclusions of Law as deemed appropriate.
3. Take some other action.

B. Environmental Assessment

1. Find that the Environmental Assessment and the record created at the public hearing address the issues identified in the Scoping Decision.
2. Find that the Environmental Assessment is not complete, identify the reason(s) it is not complete and request that the Environmental Assessment be revised or supplemented, and determine a schedule for its completion.
3. Take some other action.

C. Route Permit

1. Issue the attached Route Permit that identifies the route proposed by Great River Energy for its Lake Eunice 115 kV Transmission Line Project and that includes specific requirements and conditions.
2. Amend the Route Permit as deemed appropriate.
3. Deny a route permit for Great River Energy's Lake Eunice 115 kV Transmission Line Project.
4. Take some other action.

D. Administrative

1. Authorize Commission staff to modify the Findings of Fact and Conclusions of Law and Route Permit to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final order in the matter.

Staff Recommendation: A1, B1, C1, and D1

Proposed Findings of Fact and Conclusions of Law

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Great River
Energy for a Route Permit for a 115 kV High
Voltage Transmission Line to Accommodate the
Lake Eunice Substation Conversion in Becker
County

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STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Great River Energy for a Route Permit for a 115 kV High Voltage Transmission Line to Accommodate the Lake Eunice Substation Conversion in Becker County

**PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

STATEMENT OF ISSUE

Has Great River Energy (GRE) satisfied the factors set forth in Minn. Stat. § 216E.04, subd. 8 and Minn. R. Ch. 7850 for a route permit for the Lake Eunice 115 kilovolt (kV) Transmission Line Project in Lake Eunice Township, Becker County, Minnesota?

SUMMARY OF CONCLUSIONS

Specific details regarding the proposed construction and operation of the Lake Eunice 115 kV Transmission Line Project were presented in the Route Permit Application filed by Great River Energy on June 4, 2019. The Lake Eunice 115 kV Transmission Line Project was analyzed within an environmental assessment (EA) prepared by the Minnesota Department of Commerce Energy Environmental Review and Analysis unit (EERA). Based on the analysis within the EA, potential impacts of the Project are anticipated to be minimal. The proposed route satisfies the factors set forth in Minn. Stat. § 216E.04, subd. 8 and Minn. R. 7850.4100.

Based on the record created in this proceeding, the Commission makes the following:

FINDINGS OF FACT

I. Applicant

1. Great River Energy is a not-for-profit generation and transmission cooperative based in Maple Grove, Minnesota. Great River Energy provides electrical energy and related services to 28 member cooperatives, including Lake Region Electric Cooperative, the distribution cooperative which services the area in which the new transmission line would be located. Great River Energy's distribution cooperatives, in turn, supply electricity and related services to more than 685,000 residential, commercial, and industrial customers in Minnesota and Wisconsin.

Lake Region Electric Cooperative provides electricity and related services to approximately 27,800 residential, commercial, and industrial customers in Minnesota.¹

2. Great River Energy's generation system includes a mix of baseload and peaking plants, including coal-fired, natural gas, and oil plants as well as wind generators (approximately 3,450 megawatts). Great River Energy owns over 4,600 miles of transmission line (69 kV or higher) in Minnesota, North Dakota, South Dakota, and Wisconsin.²

II. Procedural History

3. On May 8, 2019, Great River Energy (Applicant) filed with the Minnesota Public Utilities Commission (Commission) a notice that it intended to apply for a Route Permit for the Project under the Alternative Permitting Process.³

4. On June 4, 2019, Great River Energy submitted its Route Permit Application (Application) for the Project.⁴

5. On June 7, 2019, the Commission issued a Notice of Comment Period on Application Completeness.⁵ The notice requested comments on the following: (i) whether the route permit application contains the information required under Minn. R. 7850.3100; (ii) whether there were any contested issues of fact with respect to the representations made in the route permit application; (iii) whether an advisory task force should be appointed; and (iv) whether there were any additional procedural requirements that should be considered. The comment period was open through June 21, 2019, for initial comments and through June 28, 2019, for reply comments.⁶

6. On June 21, 2019, the Department of Commerce Energy Environmental Review and Analysis unit (EERA) filed its comments and recommendations regarding completeness of the Application and recommended the Application be found complete and that the Commission should take no action on an advisory task force.⁷ No other comments were filed.⁸

7. On July 5, 2019, the Commission issued a Notice of Commission Meeting for July 18, 2019.⁹

¹ Ex. 302 at 1-1 (Application).

² Ex. 302 at 1-1 (Application).

³ Ex. 300 (Notice of Intent to Submit a Route Permit Application under the Alternative Permitting Process).

⁴ Ex. 301 (Cover Letter for Application).

⁵ When a document is "issued" by the Commission, the document is electronically filed to the Commission's eDocket system and served on the appropriate Commission's service list(s) for the docket, unless otherwise noted.

⁶ Ex. 200 (Notice of Comment Period [on Application Completeness]).

⁷ Ex. 100 (EERA Comments and Recommendations on Application Completeness).

⁸ Public Comment – Speak Up – No Comments (June 26, 2019) (eDocket No. 20196-153844-01).

⁹ Notice of Commission Meeting (July 5, 2019) (eDocket No. 20197-154189-07).

8. On July 18, 2019, the Commission met and found the Application complete.¹⁰

9. On August 5, 2019, the Commission issued its Order Finding Application Complete and Referring Matter to the Office of Administrative Hearings (OAH). The Commission (i) accepted the route permit application as substantially complete and authorized review under the alternative permitting process defined in Minn. Stat. § 216.04 and Minn. R. 7850.2800 to 7850.3900; (ii) referred the matter to the OAH for preparation of a Summary Report; and (iii) varied the 10-day timeline under Minn. R. 7850.3700, subp. 3.¹¹

10. On August 28, 2019, Great River Energy filed affidavits indicating that it had completed the notice requirements of Minn. R. 7850.2100, providing direct mail notice and a newspaper publication relating to the Application, and providing notice of the Application to the General Service List, persons who own land on or adjacent to the Project's route, local officials, and agencies.¹²

11. On September 9, 2019, the Commission and EERA issued a Notice of Public Information and Environmental Assessment Scoping Meeting. The notice was (i) sent via U.S. Mail to local units of government, landowners and adjacent landowners; and (ii) was published in the *Detroit Lakes Tribune* on September 11, 2019.¹³

12. On September 25, 2019, staff from the Commission and EERA conducted a public information and environmental assessment scoping meeting near the proposed project area in Detroit Lakes, Minnesota.¹⁴ Three people attended the public information and scoping meeting.¹⁵ Written comments on issues for consideration in the EA scoping decision were accepted through October 9, 2019.¹⁶

13. On October 3, 2019, the Minnesota Department of Natural Resources (DNR) filed comments on the Project.¹⁷ On October 8, 2019, the Minnesota Department of Transportation (MnDOT) filed comments.¹⁸ MDNR requested that EERA include within the EA document a discussion on the regulatory requirements, and the potential impacts and mitigative measures associated with LREC's removal of the 41.6 kV line between Structure 161 and the Audubon Switch. MnDOT commented that the removal of the 2.85 miles of 41.6 kV line that crosses U.S. Highway 10 will likely require a Miscellaneous Permit (Form 1723) from MnDOT, accompanied

¹⁰ Minutes – July 18, 2019 Agenda (July 31, 2019) (eDocket No. 20197-154855-04).

¹¹ Ex. 201 (Order Finding Application Complete and Referring Matter to the Office of Administrative Hearings).

¹² Ex. 304 (Affidavits of Mailing and Publication).

¹³ Ex. 203 (Notice of Public Information and Environmental Assessment Scoping Meeting); Ex. 204 (Published Notice of Public Information and Environmental Assessment Scoping Meeting).

¹⁴ Transcript (October 10, 2018) (eDocket No. 201910-156470-01).

¹⁵ Ex. 107 at 5 (EA).

¹⁶ Ex. 203 (Notice of Public Information and Environmental Assessment Scoping Meeting); Ex. 204 (Published Notice of Public Information and Environmental Assessment Scoping Meeting).

¹⁷ Comment by MDNR (October 09, 2019) (eDocket No. 201910-156292-01).

¹⁸ Comment by MnDOT (October 08, 2019) (eDocket No. 201910-156433-01).

by traffic control measures. MnDOT also recommended early coordination with MnDOT District 4 staff prior to commencement of work.

14. On October 14, 2019, EERA filed comments and recommendations regarding the scope of the EA.¹⁹

15. On November 7, 2019, the Commission, through its Consent Calendar Subcommittee on October 30, 2019, issued an order taking no action regarding route alternatives to be evaluated in the EA.²⁰

16. On November 12, 2019, EERA issued the EA Scoping Decision. The EA Scoping Decision was served on the Commission's service lists for the docket.²¹

17. On January 24, 2020, EERA issued the EA for the Project²² and a Notice of EA.²³ The notice was served on the Commission's service lists for the docket.

18. On February 3, 2020, a notice of EA availability was published in the *EQB Monitor*, as required by Minn. R. 7850.3700, subp. 6.²⁴

19. On March 4, 2020, the Commission issued a Notice of Public Hearing.²⁵ The notice was (i) sent via U.S. Mail to local units of government, landowners and adjacent landowners; and (ii) was published in the *Detroit Lakes Tribune* on March 4, 2020.

20. On March 16, 2020, due to the COVID-19 pandemic, the Commission cancelled the public hearing noticed for March 18, 2020.²⁶

21. On May 12, 2020, the Commission issued a new Notice of Public Hearing. The notice was (i) sent via U.S. Mail to local units of government, landowners and adjacent landowners; and (ii) was published in the *Detroit Lakes Tribune* on May 17, 2020.²⁷

22. On May 27, 2020, the Commission filed the master exhibit list.²⁸

23. On May 28, 2020, Administrative Law Judge (ALJ), Kimberly Middendorf with the OAH presided over a public hearing. Due to the COVID-19 pandemic, and pursuant to the

¹⁹ Ex. 104 (EERA Comment: Summary of EA Scoping Process and Alternative Routes).

²⁰ Ex. 205 (Order on Route Alternatives for Evaluation in the Environmental Assessment).

²¹ Ex. 105 (Scoping Decision for Environmental Assessment and Affidavit of Service).

²² Ex. 107 (EA).

²³ Ex. 106 (Notice: Availability of Environmental Assessment and Affidavit of Service).

²⁴ Ex. 108 (Notice: Availability of Environmental Assessment Published in the *EQB Monitor* Vol. 44, No. 4).

²⁵ Ex. 206 (Notice of Public Hearing).

²⁶ Ex. 207 (Notice Suspending all Commission Meetings for Two Weeks).

²⁷ Ex. 208 (Notice of Public Hearing); Affidavit of Publication—Public Hearing (July 1, 2020) (eDocket No. 20207-164456-01).

²⁸ Exhibits – Hearing—Initial Exhibit List (May 27, 2020) (eDocket No. 20205-163507-01).

Governor's executive orders, the meeting was conducted using remote-access technology. The hearing procedures included brief presentations by Commission and EERA staff and the applicant²⁹ to describe the permitting process and the proposed project; introduction of documents to be included in the record; and an opportunity for members of the public to provide comments and ask questions of the applicant and staff. A court reporter was present to transcribe the public hearing.³⁰ No members of the public spoke at the public hearing. Following the public hearing, a written comment period was open through June 11, 2020; no comments were received during the comment period.

24. On June 17, 2020, ALJ Middendorf filed a Report to the Commission which summarized the public hearing and public comments.³¹

25. On July 1, 2020, Great River Energy filed proposed Findings of Fact and Conclusions of Law. As indicated in the filing, EERA agreed with Great River Energy's proposed Findings of Fact and Conclusions of Law and did not provide any additional comments or recommendations.³² Neither Great River Energy or EERA, provided any additional comments or recommendations on the Sample HVTL Route Permit that was filed to eDockets on August 6, 2019, and that was included in Appendix B of the EA.

III. Description of the Project

26. The Project is located southwest of the city of Detroit Lakes in Lake Eunice Township, Becker County. The project involves removing a 0.8-mile segment of Great River Energy's existing 10.24-mile 41.6 kV LR-LET transmission line and constructing a new 0.8-mile 115 kV transmission line in its place. This segment of transmission line to be replaced runs between the Lake Eunice Substation and Great River Energy's LR-CF 115 kV transmission line (Proposed Route).³³

27. The Project also includes the removal of 2.85 miles of the 41.6 kV LR-LET transmission line from the Audubon Switch to Structure 161, and modifications by Lake Region Electric Cooperative (LREC) to its Lake Eunice Substation. This work will be permitted under the jurisdiction of Becker County.

28. After the completion of the Project, Great River Energy will own the new 0.8-mile 115 kV transmission line and LREC will own the remaining 6.59 miles of the 41.6 kV LR-LET transmission line for distribution purposes and retain all existing distribution lines in the area.³⁴

²⁹ Scott Ek and Charley Bruce appeared on behalf of the Commission; Bill Storm appeared on behalf of EERA; and Dan Leshar (Great River Energy) and Haley Waller Pitts (Fredrickson & Byron) appeared on behalf of the Applicant.

³⁰ Transcript (July 8, 2020) (eDocket No. 20207-164733-01).

³¹ Report to the Commission (June 17, 2020) (eDocket No. 20206-164067-01).

³² Cover Letter (July 1, 2020) (eDocket No. 20207-164518-01); Great River Energy's Proposed Findings of Fact and Conclusions of Law (July 1, 2020) (eDocket No. 20207-164518-02).

³³ Ex. 302 at 1-2 and 1-3 (Application).

³⁴ Ex. 302 at 1-3 (Application).

29. Great River Energy requested approval of a 200-foot route width for the transmission line and a 400-foot route width in the vicinity of the substation to accommodate routing the line into the Lake Eunice Substation.³⁵

30. Great River Energy proposed a right-of-way of 90 feet in width.³⁶

IV. Purpose and Need

31. The Project is needed to improve electrical service to members in the rural area southwest of Detroit Lakes, Minnesota, including Lake Eunice, Dunn, and Lake View townships. These proposed upgrades will allow over 10 miles of 41.6 kV radial transmission to be replaced by a 0.8-mile 115 kV loop fed transmission line. This new line will improve the reliability of the transmission feeding the existing Lake Eunice Substation and thus improve the reliability of the approximately 2,000 LREC members served from this substation.³⁷

V. Routes Evaluated

32. Great River Energy presented the Proposed Route in its Application. The route extends north from LREC's existing Lake Eunice Substation for approximately 0.8 mile along the west side of St. Marys of the Lake Road to a new three-way switch on Great River Energy's existing LR-CF 115 kV transmission line.³⁸ The alignment will parallel and will be offset approximately 10 to 15 feet west of the existing 41.6 kV LR-LET transmission line that is being removed and replaced.³⁹

33. Great River Energy did not evaluate alternative routes for the proposed transmission line.⁴⁰ The EA evaluated only the Proposed Route because no alternative routes were proposed for study during the scoping period.⁴¹

VI. Transmission Line Structure Types and Spans

34. Applicant proposes to use single pole wood horizontal post structures capable of supporting a single 115 kV circuit and a 12.5 kV distribution underbuild. Laminated wood poles or steel poles may be required in some locations for angles or in areas where soil conditions are poor and guying is not practical. The structures will be 20 inches in diameter at ground level and 70 to 80 feet in height with an average span of 200 to 300 feet between structures.⁴² The

³⁵ Ex. 107 at 2 (EA); Ex. 302 at 1-3 (Application).

³⁶ Ex. 302 at 1-3 (Application); Ex. 107 at 8 (EA).

³⁷ Ex. 302 at 1-7 (Application); Ex. 107 at 2 (EA).

³⁸ Ex. 302 at 4-1 (Application).

³⁹ Ex. 302 at 6-2 (Application).

⁴⁰ Ex. 302 at 5-1 (Application).

⁴¹ Ex. 107 at 20 (EA).

⁴² Ex. 302 at 4-3 (Application).

structures will be direct-embedded by boring or excavating a 2 to 5 foot diameter hole 8 to 15 feet deep and backfilling with excavated material, native soil, or crushed rock. In areas of poor soil conditions or special cases, concrete pier foundations may be necessary.⁴³ The three-way switch structure will consist of a monopole steel structure set on concrete pier foundation.⁴⁴

VII. Transmission Line Conductors

35. The single circuit structures will have three single conductor phase wires and one shield wire. It is anticipated that the phase wires will be 477 thousand circular mil aluminum conductor steel-reinforced with seven steel core strands and 26 outer aluminum strands. The shield wire will be 0.528 optical ground wire.⁴⁵

VIII. Transmission Line Route Widths

36. Great River Energy requests approval of a 200-foot route width for the transmission line and a 400-foot route width in the vicinity of the Lake Eunice Substation to accommodate routing the line into the substation.⁴⁶

IX. Transmission Line Right-of-Way

37. Applicant will acquire a 90-foot wide permanent right-of-way (45 feet on each side of the transmission line centerline). The easement may be slightly wider than 90 feet in some areas to accommodate guy wires and anchors.⁴⁷

X. Project Schedule

38. Applicant plans to commence construction of the Project in fall 2020. Applicant anticipates that construction will take approximately two months and that the entire Project will be energized in spring 2021.⁴⁸

XI. Project Costs

39. The total cost of the Project is estimated to be approximately \$1.5 million, including an estimated cost of single pole construction at approximately \$448,500 per mile. Applicant estimates that 15 to 20 workers at a time will be employed during construction of the Project.⁴⁹

⁴³ Ex. 302 at 6-5 (Application).

⁴⁴ Ex. 302 at 4-3 (Application).

⁴⁵ Ex. 302 at 4-5 (Application).

⁴⁶ Ex. 302 at 4-1 (Application); Ex. 107 at 13 (EA).

⁴⁷ Ex. 302 at 4-3 (Application); Ex. 107 at 13 (EA).

⁴⁸ Ex. 302 at 4-7 (Application); Ex. 107 at 19 (EA).

⁴⁹ Ex. 302 at 4-6 (Application); Ex. 107 at 19 (EA).

XII. Permittee

40. The permittee for the Project is Great River Energy.

XIII. Factors to be Considered Regarding Issuance of a Route Permit

41. The Power Plan Siting Act (PPSA), Minn. Stat. Ch. 216E, 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.”⁵⁰

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

- 1) evaluation of research and investigations 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;
- 4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;⁵¹
- 5) analysis of the direct and indirect economic impact of proposed sites 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;

⁵⁰ Minn. Stat. § 216E.03, subd. 7.

⁵¹ Factor 4 is not applicable because Applicant is not proposing to site a large electric generating plant in this docket.

- 7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 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 the 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 of resources should the proposed site or route be approved; and
- 12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.⁵²

43. 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 right-of-way and, to the extent those are not used for the route, the [C]ommission must state the reasons."

44. 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 high voltage transmission line:

- 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;

⁵² Minn. Stat. § 216E.03, subd. 7.

- E. effects on the natural environment, 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;⁵³
- J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;
- K. electrical system reliability;
- L. costs of constructing, 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.

45. There is sufficient evidence on the record for the Commission to assess the Project using the criteria and factors set forth above.

XIV. Application of Statutory and Rule Factors to the Proposed Route

46. The only route under consideration in this proceeding is Great River Energy's Proposed Route.

A. Effects on Human Settlement

47. Minnesota law requires consideration of the Project's effects on human settlement, including displacement of residences and businesses, noise created during construction and by operation of the Project, and impacts to aesthetics, cultural values, recreation, and public services.⁵⁴

⁵³ This factor is not applicable because it applies only to power plant siting.

⁵⁴ Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. A.

48. Impacts to human settlements resulting from the Project are anticipated to be minimal to moderate.⁵⁵

1. Displacement

49. No residences, businesses, or structures will be displaced by the Project⁵⁶ and direct property value impacts are anticipated to be minimal.⁵⁷

2. Noise

50. The Minnesota Pollution Control Agency (MPCA) has established standards for the regulation of noise levels.⁵⁸

51. The most restrictive MPCA noise limits are 60-65 A-weighted decibels (dBA) during the daytime and 50-55 dBA during the nighttime.⁵⁹

52. Noise from the Project may arise from construction activities and the normal operation of the Project. Noise impacts for both categories are anticipated to be minimal.⁶⁰

53. Construction noise will occur during daytime hours as the result of heavy equipment operation and increased vehicle traffic associated with the Project. Any exceedance of MPCA daytime noise limits would be short-term and sporadic. Exceedance of MPCA nighttime noise limits is not expected.⁶¹ Construction will be limited to daytime hours to avoid nighttime construction noise.⁶²

54. Noise levels produced by a 115 kV transmission line are generally less than outdoor background levels and therefore are not usually audible.⁶³ During light rain, dense fog, snow, and other times when there is moisture in the air, transmission lines may produce audible noise approximately equal to household background levels. Because noise dissipates over distance, the small amount of transmission line noise will not noticeably change overall noise levels at homes along the Proposed Route, nor will it cause exceedances of MPCA standards.⁶⁴

⁵⁵ Ex. 302 at 7-2 (Application). *See also* Ex. 107 at 26–27 (EA).

⁵⁶ Ex. 107 at 31 (EA).

⁵⁷ Ex. 302 at 7-4 (Application); Ex. 107 at 39 (EA).

⁵⁸ *See* Ex. 107 at 36 (EA) (citing MPCA (n.d.) *Noise Program*: <https://www.pca.state.mn.us/air/noise-program>).

⁵⁹ Ex. 107 at 36 (EA).

⁶⁰ Ex. 107 at 36–37 (EA).

⁶¹ Ex. 107 at 37 (EA).

⁶² Ex. 302 at 7-8 (Application).

⁶³ Ex. 302 at 7-7 (Application).

⁶⁴ Ex. 107 at 37 (EA).

55. The upgraded substation will meet Minnesota Noise Standards at approximately 75 feet from the 115 kV transformer. The nearest residence is approximately 350 feet from the proposed location of the 115 kV transformer. At 350 feet, noise from the transformer would attenuate to approximately 27 dBA, which is below the 50 dBA limit.⁶⁵

56. Noise impacts are not anticipated during operation of the Project. Noise generated by operation of the Project is anticipated to be within Minnesota noise standards.⁶⁶

3. Aesthetics

57. The landscape in the Project area is a mixture of rural residential development, forested land, agriculture, and utility infrastructure. The 500-foot region of influence for aesthetic resources was identified because the Project is most likely to be visible within this near-foreground distance zone and views of the proposed Project from aesthetic resources within this distance zone have the greatest potential to result in visual impacts for sensitive viewers.⁶⁷

58. The new infrastructure will be visible in the general area of the Project. The visual contrast added by the taller transmission structures and lines may be perceived as a visual disruption or as points of visual interest. The power lines that already exist in the vicinity of the proposed Project will limit the extent to which the new infrastructure is viewed as a disruption to the area's scenic integrity.⁶⁸

59. The primary strategy for minimizing aesthetic impacts is prudent routing. Aesthetic impacts have been mitigated to the extent possible. Applicant has identified a proposed route that is immediately adjacent to and overlapping an existing transmission line right-of-way and avoids residences and businesses.⁶⁹

4. Cultural Values

60. The construction and operation of the Project is not anticipated to impact or alter cultural values in Becker County. The Project will not impact the work and leisure pursuits of residents or geographic features in such a way as to impact the underlying culture of the Project area.⁷⁰

5. Recreation

61. Recreational opportunities in the area include fishing, birding, tubing, scuba diving, boating, swimming, biking, motorcycling, hiking, golfing, skiing, ice skating, hockey,

⁶⁵ Ex. 107 at 37–38 (EA).

⁶⁶ Ex. 107 at 38 (EA).

⁶⁷ Ex. 107 at 26 (EA).

⁶⁸ Ex. 107 at 27 (EA).

⁶⁹ Ex. 107 at 31 (EA); Ex. 302 at 7-9 (Application).

⁷⁰ Ex. 107 at 31 (EA).

curling, snowshoeing and snowmobiles. There are no state parks, state forests, scientific and natural areas, Wildlife Management Areas, county parks, or federal forests or refuges within the Proposed Route.⁷¹

62. No impacts to tourism and recreational opportunities from the Project are anticipated.⁷²

6. Public Service and Infrastructure

63. The Project is located in a rural area with typical public services. Minor, temporary impacts to roads may occur during construction of the Project. No impacts to roads or highways are anticipated after the Project has been constructed.⁷³

64. No airports/airstrips are located within five miles of the Project and no impacts from the Project are anticipated.⁷⁴

65. During construction of the Project, there may be temporary impacts to roads in the form of traffic delays which could impede responses to an emergency. Short-term localized traffic delays are anticipated during construction. These impacts are anticipated to be minimal. No impacts to emergency services are anticipated as a result of the Project once the Project is operational.⁷⁵

66. Impacts to utilities from construction and operation of the Project are expected to be minimal.⁷⁶

B. Effects on Public Health and Safety

67. Minnesota's high voltage transmission line routing factors require consideration of the Project's potential effect on health and safety.⁷⁷

1. Construction and Operation of Facilities

68. The Project will be designed in compliance with local, state, National Electric Safety Code (NESC) standards regarding clearance to the ground, clearance to crossing utilities, strength of materials, and right-of-way widths. Applicant's established safety procedures, as well

⁷¹ Ex. 107 at 56 (EA).

⁷² Ex. 107 at 57 (EA).

⁷³ Ex. 302 at 7-12-7-13 (Application).

⁷⁴ Ex. 107 at 49 (EA).

⁷⁵ Ex. 107 at 50 (EA).

⁷⁶ Ex. 107 at 52 (EA).

⁷⁷ Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. B.

as industry safety procedures, will be followed during and after installation of the transmission line, including clear signage during all construction.⁷⁸

69. The Lake Eunice Substation will be equipped with breakers and relays located where the transmission line will connect to the substation. The protective equipment is designed to de-energize the transmission line should such an event occur.⁷⁹

2. Electric and Magnetic Fields

70. There is no federal standard for transmission line electric fields. The Commission has imposed a maximum electric field limit of 8 kV per meter (kV/m) measured at one meter (3.28 feet) above the ground.⁸⁰

71. The calculated electric fields for the Project directly under the transmission line was 0.36 kV/m one meter aboveground, which is considerably less than the maximum limit of 8 kV/m prescribed by the Commission.⁸¹

72. There are presently no Minnesota regulations pertaining to magnetic field exposure.⁸²

73. Research has not been able to establish a cause-and-effect relationship between exposure to magnetic fields and adverse health effects.⁸³

74. The potential impacts of electric and magnetic fields (EMF) on human health were at issue in the Route Permit proceeding for the Brookings County to Hampton 345 kV transmission line. In that proceeding, ALJ Luis found that: “The absence of any demonstrated impact by EMF-ELF [extremely low frequency] exposure supports the conclusion that there is no demonstrated impact on human health and safety that is not adequately addressed by the existing state standards for such exposure. The record shows that the current exposure standard for EMF-ELF is adequately protective of human health and safety.”⁸⁴

⁷⁸ Ex. 302 at 7-2 (Application).

⁷⁹ Ex. 107 at 14 (EA); Ex. 302 at 7-2 (Application).

⁸⁰ Ex. 107 at 47 (EA); Ex. 302 at 6-7 (Application).

⁸¹ Ex. 107 at 43 (EA); Ex. 302 at 6-7 (Application).

⁸² Ex. 302 at 6-9 (Application).

⁸³ Ex. 302 at 6-9 (Application).

⁸⁴ See *In re Route Permit Application by Great River Energy and Xcel Energy for a 345 kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota*, Docket No. ET-2/TL-08-1474, ALJ’s Findings of Fact and Conclusions of Law at 44 ¶ 216 (Apr. 22, 2010), eDockets Document No. 20104-49478-01, *adopted as amended*, Commission Order at 8 (Sept. 14, 2010), eDockets Document No. 20109-54429-01. See also *In the Matter of the Application of Blazing Star Wind Farm 2, LLC for a Route Permit for the Blazing Star Wind Farm 2 115 kV Transmission Line in Lincoln County*, Docket No. IP-6686/TL-17-701, ALJ’s Findings of Fact and Conclusions of Law at 17, ¶ 86 (March 20, 2019), eDockets Document No. 20193-151229-01 (quoting ALJ Luis’s conclusions in *Brookings*).

75. Similarly, in the Route Permit proceeding for the St. Cloud-Fargo 345 kV transmission line, ALJ Heydinger found: “Over the past 30 years, many epidemiological studies have been conducted to determine if there is a correlation between childhood leukemia and proximity to electrical structures. Some studies have shown that there is an association, and some have not. Although the epidemiological studies have been refined and increased in size, the studies do not show a stronger related effect. In addition, a great deal of experimental, laboratory research has been conducted to determine causality, and none has been found.”⁸⁵

76. By following NESC and Commission requirements, the Project has been designed to avoid induced voltage impacts. As a result, potential impacts are not anticipated.⁸⁶

77. The Project is not anticipated to have a significant impact on human health and safety.⁸⁷

C. Effects on Land-Based Economies

78. Minnesota’s high voltage transmission line routing factors require consideration of the Project’s impacts to land-based economies—specifically, agriculture, forestry, tourism, and mining.⁸⁸

79. Land-based economies in the Project area include agriculture, forestry, mining, recreation, and tourism. Impacts to these operations are anticipated to be minimal and can be mitigated.⁸⁹

1. Agriculture

80. Land use in the vicinity of the Project is dominated by agriculture production. The majority of the land in the vicinity of the Project is cultivated farmland and pastureland/grassland.⁹⁰

81. Agricultural lands within the Proposed Route consist primarily of tilled land (2,200 linear feet) with pasture/grassland (1,000 linear feet). In total, the transmission line would cross about 3,200 feet of agricultural land. Agricultural impacts along the Proposed Route are

⁸⁵ *In re Application for a Route Permit for the Fargo to St. Cloud 345 kV Transmission Line Project*, Docket No. ET-2, E002/TL-09-1056, ALJ’s Findings of Fact, Conclusions of Law at 23 ¶ 125 (Apr. 25, 2011), eDockets Document No. 20114-61700-01, *adopted as amended*, Commission Order at 2 (June 24, 2011), eDockets Document No. 20116-64023-01. *See also In the Matter of the Application of Blazing Star Wind Farm 2, LLC for a Route Permit for the Blazing Star Wind Farm 2 115 kV Transmission Line in Lincoln County*, Docket No. IP-6686/TL-17-701, ALJ’s Findings of Fact and Conclusions of Law at 17–18, ¶ 87 (March 20, 2019), eDockets Document No. 20193-151229-01 (quoting ALJ Luis’s conclusions in *Brookings*).

⁸⁶ Ex. 107 at 43–44 (EA); Ex. 302 at 6-9 (Application).

⁸⁷ Ex. 107 at 43 (EA).

⁸⁸ Minn. Stat. § 216E.03, subd. 7(b)(5); Minn. R. 7850.4100, subp. C.

⁸⁹ *See* Ex. 107 at 52–57 (EA).

⁹⁰ Ex. 302 at 7-14 (Application).

predominantly along edges of existing road right-of-way. However, the permanent impact to agricultural operations is much less because agricultural land within a transmission right-of-way is generally available for agricultural production. As demonstrated by other transmission and wind energy projects in the Midwest and in the vicinity of the Project, agricultural practices continue throughout construction and operations.⁹¹

82. Temporary impacts to agricultural lands may include soil compaction, crop damage, and disruption to drainage systems during construction. Permanent impacts will be the footprint of the pole and the area immediately surrounding it. Applicant has indicated that it will mitigate agricultural impacts by, among other things: limiting movement of crews and equipment on the right-of-way; scheduling construction during periods when agricultural activities are minimally affected; repairing ruts that are hazardous to agricultural operations; repairing damages to ditches, tile, terraces, and roads; purchasing right-of-way easements through negotiations with each landowner affected by the Project; restoring or compensating landowners for reasonable crop damages or other property damage that occurs during construction or maintenance; and repairing damages to or replacing fences, gates, and similar improvements that are removed or damaged. In addition, Commission route permits require permittees to compensate landowners for damage to crops and drain tile.⁹²

83. As a result of the Project's routing and mitigation measures, permanent impacts to agricultural operations as a result of the Project are anticipated to be minimal.⁹³

2. Forestry

84. Becker County has about 360,000 acres of forested land, much in public control including substantial private woodlands. According to county inventories, the county is composed of approximately 12 percent conifers and 70 percent hardwoods.⁹⁴

85. The Project will cross approximately 480 linear feet of forested land (about 4,800 additional square feet from the existing LR-LET right-of-way). To ensure the safe and reliable operation of the Project, the entire width of the 90-foot right-of-way will need to be cleared of vegetation. Applicant has indicated that it will mitigate potential impacts to forest resources by compensating landowners for removal of vegetation in the right-of-way and giving landowners the option to keep the timber cut within the easement area.⁹⁵

86. Direct impacts to forestry operations, including timber harvest, are not anticipated.⁹⁶

⁹¹ Ex. 302 at 7-14 (Application); Ex. 107 at 53-54 (EA).

⁹² Ex. 107 at 54; Ex. 302 at 7-16-7-17 (Application).

⁹³ Ex. 107 at 53 (EA).

⁹⁴ Ex. 107 at 54 (EA).

⁹⁵ Ex. 302 at 7-17 (Application).

⁹⁶ Ex. 107 at 55 (EA).

3. Mining

87. There are no known mining activities within the vicinity of the Project, so no impacts to mining economies are anticipated.⁹⁷

4. Tourism

88. There are several recreation lands and public trails in the Project vicinity that may be used by tourists.

89. The Project is near lakes, resorts, flea markets, amusement parks, a winery, syrup production, and resorts. The Project also intersects a portion of the Midnite Riders Snowmobile Trail which lies within the existing LR-LET transmission right-of-way. The trail provides a loop trail system connecting the communities of Cormorant Village, Lake Park, and Audubon. The trails run through the lakes and fields of southwestern Becker County and provide connections to Lake Runners Trail Association and Clay County Trails. Applicant has indicated that it will work with the snowmobile club to limit the impacts caused by construction. Temporary impacts to the Midnite Riders Snowmobile Trail will be minimal and long-term impacts are not expected.⁹⁸

90. The Project will avoid all other areas that would be considered tourist destinations, and the Project would not preclude tourism activities or diminish the use or experience at tourist destinations. Impacts to tourism from the Project are anticipated to be minimal.⁹⁹

D. Effects on Archaeological and Historic Resources

91. Minn. R. 7850.4100, subp. D, requires consideration of the effects of the Project on historic and archaeological resources.

92. To determine potential impacts on known archaeological and historic resources, Applicants retained Wenck to perform a Phase I Archaeological Survey of the Project area and contacted the State Historical Preservation Office (SHPO) requesting information on the possible effects of the Project on historic properties in the Project area. Wenck concluded that there will be no adverse impact on known or suspected cultural resources as a result of the Project, and SHPO determined that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by the Project.¹⁰⁰

⁹⁷ Ex. 107 at 55 (EA).

⁹⁸ Ex. 107 at 56 (EA); Ex. 302 at 7-18 (Application).

⁹⁹ Ex. 107 at 56 (EA).

¹⁰⁰ Ex. 107 at 57 (EA).

93. The Applicant has indicated that work will be stopped and SHPO staff will be consulted in the event archaeological sites or resources are identified during Project construction. Consultation with SHPO concerning archaeological resources encountered during construction is a standard Commission route permit condition.¹⁰¹

94. Based on cultural resource review and survey, no direct or indirect impacts to archaeological or historic resources are anticipated within the Project area.¹⁰²

E. Effects on Natural Environment

95. 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.¹⁰³

1. Air Quality

96. No significant impacts to air quality are anticipated from the Project. Ozone and nitrous oxide emissions along transmission lines are generally directly linked to corona production. Ozone and nitrous oxide emissions from the new 115 kV line are anticipated to be well below state and federal standards.¹⁰⁴

97. Impacts due to construction dust and equipment exhaust are anticipated to be minor and temporary. Even so, Applicant indicated that appropriate dust control measures will be implemented to reduce potential fugitive dust emissions.¹⁰⁵

2. Geology and Topography

98. The topography along the Project area is level. Depth of glacial drift over bedrock in the Pine Moraines and Outwash Plains Subsection varies from 200 to over 600 feet, with the greatest depths in the southwestern portion of the subsection. Underlying bedrock is a variety of Precambrian rock. There are some localized cretaceous marine shale, sandstone and variegated shale in the southwestern portion of the substation. The Project will not impact topography or geology.¹⁰⁶

3. Water Quality and Resources

¹⁰¹ Ex. 107 at 58 (EA); Ex. 302 at 7-19 (Application).

¹⁰² Ex. 107 at 57 (EA).

¹⁰³ Minn. Stat. § 216E.03, subd. 7(b)(1)-(2); Minn. R. 7850.4100, subp. E.

¹⁰⁴ Ex. 107 at 58 (EA).

¹⁰⁵ Ex. 107 at 59 (EA).

¹⁰⁶ Ex. 107 at 59 (EA).

99. The Project lies within the Otter Tail River watershed, in the south portion of the Red River Basin. There are no rivers or streams that intersect the Proposed Route.¹⁰⁷

100. The Project avoids surface waters. Therefore, impacts to surface waters as a result of the Project are anticipated to be minimal.¹⁰⁸

101. Short-term water quality impacts could be experienced to surface waters due to vegetation clearing, ground disturbances, and construction traffic, resulting in sedimentation. However, long-term impacts are not expected as the poles will be placed outside of wetlands.¹⁰⁹

102. The Project is located in Minnesota's central groundwater province. Impacts to groundwater are anticipated to be minimal. Impacts can be mitigated by utilizing measures to prevent impacts to surface waters. Direct impacts to groundwater are anticipated to be minimal due to limited use of concrete components.¹¹⁰

103. Impacts to wetlands are not anticipated from the construction or operation of the transmission line. Impacts to floodplains are not anticipated.¹¹¹

104. Appropriate erosion and sediment control measures will be implemented to avoid or minimize impacts on the impairment status of the waters in the Project area. In the event that impacts to hydrologic features happen, Applicant has indicated that it will work with the jurisdictional agencies to determine the best ways to minimize the impacts and create appropriate mitigation measures.¹¹²

4. Flora

105. The Proposed Route follows existing infrastructure and thereby minimizes the impacts of vegetation loss, the creation of fragmented areas, the clearing of trees to facilitate access to the transmission line right-of-way, and the conversion of forested areas to low-stature ground cover. Impacts to non-forested areas will be temporary and will primarily occur during the construction of the Project.¹¹³

106. There are no MDNR Wildlife Management Areas, MDNR Scientific and Natural Areas, or United States Fish and Wildlife Service (USFWS) Waterfowl Production Areas in the vicinity of the Project. There are no state or county forests or parks in the vicinity of the Project.¹¹⁴

¹⁰⁷ Ex. 107 at 59 (EA).

¹⁰⁸ Ex. 107 at 60 (EA).

¹⁰⁹ Ex. 107 at 60 (EA).

¹¹⁰ Ex. 107 at 61 (EA).

¹¹¹ Ex. 107 at 63–64 (EA).

¹¹² Ex. 302 at 7-22 (Application). *See also* Ex. 107 at 65–66 (EA).

¹¹³ Ex. 107 at 68 (EA).

¹¹⁴ Ex. 107 at 73 (EA); Ex. 302 at 7-22 (Application).

5. Fauna

107. Potential impacts to fauna due to the Project are anticipated to be minimal and temporary. The landscape types and vegetation communities throughout the Project area provide habitat for a wide range of resident and migratory wildlife species, including ruffed grouse, sharp-tail grouse, partridge, rabbits, squirrels, red and gray fox, raccoon, deer, bear, muskrat, mink, beaver, migratory waterfowl, and various birds. While construction noise may temporarily disrupt the daily activity of wildlife in the immediate construction area, long-term impacts are not expected.¹¹⁵

108. Minor displacement impacts may be associated with the construction of the Project, but these will be temporary in nature, and long-term population-level impacts are not anticipated.¹¹⁶

109. Avian species could be impacted by the Project through collisions with or electrocution by the transmission line.¹¹⁷ However, there are mitigation strategies that can be implemented to minimize these impacts. The Project will be constructed according to Avian Power Line Interaction Committee recommended safety design standards in order to reduce avian collision and electrocution. Avian issues will also be addressed through working with the DNR and USFWS to identify any areas that may require marking transmission line shield wires and/or use alternate structures to reduce the likelihood of collisions.¹¹⁸

F. Effects on Rare and Unique Natural Resources

110. Minnesota's high voltage transmission line routing factors require consideration of the Project's effect on rare and unique natural resources.¹¹⁹

111. A desktop review of the Natural Heritage Inventory Systems provided by the DNR indicates no rare features within the Proposed Route. DNR further does "not believe the proposed Project will negatively affect any known occurrences of rare features."¹²⁰

112. The USFWS considered the gray wolf, the northern long-eared bat (NLEB), and the Canada lynx to be potentially present along the Proposed Route.¹²¹ The gray wolf is federally listed as threatened under the Endangered Species Act; the NLEB is listed as federally threatened; and the Canada lynx is listed as federally threatened. However, there is no designated critical

¹¹⁵ Ex. 107 at 68–70 (EA).

¹¹⁶ Ex. 302 at 7-23 (Application).

¹¹⁷ Ex. 302 at 7-23 (Application).

¹¹⁸ Ex. 302 at 7-23 (Application); Ex. 107 at 70 (EA).

¹¹⁹ Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. F.

¹²⁰ Ex. 107 at 72 (EA).

¹²¹ Ex. 107 at 72 (EA).

habitat for the gray wolf or the Canada lynx in the Project area, and the USFWS has not identified designated critical habitat for the NLEB at this time.¹²²

113. The Applicant has indicated that it will implement the following mitigation measures to minimize impacts to area wildlife and rare natural resources: minimize tree felling and shrub removal that are important to area wildlife; utilize best management practices to prevent erosion of the soils in the areas of impact; implement sound water and soil conservation practices during construction and operation of the Project to protect topsoil and adjacent water resources and minimize soil erosion; re-vegetate disturbed areas with native species and wildlife conservation species where applicable; and implement raptor protection measures, if consultation with local wildlife management staff deems necessary.¹²³

114. The Proposed Route follows or overlays existing infrastructure for the majority of its length. By so doing, the Proposed Route places the new transmission line where there is already existing linear infrastructure (roadways and electrical transmission/distribution lines), as this tends to minimize the impacts on rare and unique natural resources. Thus, impacts to rare and unique resources are not expected.¹²⁴ If impacts to threatened or endangered species are identified, the Applicant will work with regulatory agencies to identify appropriate avoidance, minimization, and mitigative measures.¹²⁵

G. Application of Various Design Considerations

115. 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.¹²⁶

116. The existing Lake Eunice Substation has a compact feeder design. This substation has been upgraded in the past and cannot accommodate any future transformer upgrades as that would require other larger equipment and material within the substation that would no longer meet electrical safety standards for clearance and operation. The newly rebuilt substation design would allow for future expansion when deemed necessary.¹²⁷

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

¹²² Ex. 107 at 72, 73 (EA).

¹²³ Ex. 302 at 7-24–7-25 (Application).

¹²⁴ Ex. 107 at 73 (EA).

¹²⁵ Ex. 302 at 7-25 (Application).

¹²⁶ Minn. Stat. § 216E.03, subd. 7(a)-(b); Minn. R. 7850.1900, subp. 2(L).

¹²⁷ Ex. 302 at 6-2 (Application).

117. Minnesota's HVTL routing factors require consideration of the Project's use of or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries.¹²⁸

118. The existing transmission line right-of-way and easements are located in Becker County, generally along the east 80 feet of a portion of the west half of Section 35, Township 138, Range 42, adjacent to the west edge of St. Mary's of the Lakes road right-of-way. The proposed transmission line alignment will run approximately 10–15 feet west of, and parallel to, the existing 41.6 kV line right-of-way for the majority of its length.¹²⁹

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

119. Minnesota's HVTL routing factors require consideration of the Project's use of existing transportation, pipeline, and electrical transmission system rights-of-way.¹³⁰

120. The proposed transmission line alignment parallels or utilizes existing transmission and roadway rights-of-way for the majority of its length.¹³¹

J. Electrical System Reliability

121. Minnesota's HVTL routing factors require consideration of the Project's impact on electrical system reliability.¹³²

122. The Project will be constructed to meet reliability requirements.¹³³

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

123. Minnesota's HVTL routing factors require consideration of the Project's cost of construction, operation, and maintenance.¹³⁴

124. The total cost of the Project is currently estimated to be approximately \$1.5 million.¹³⁵ Annual operation and maintenance costs for a 115 kV line in the Great River Energy system, including right-of-way maintenance, are approximately \$2,000 per mile of transmission line.¹³⁶

¹²⁸ Minn. Stat. § 216E.03, subd. 7(b)(9); Minn. R. 7850.4100, subp. H.

¹²⁹ Ex. 302 at 6-2 (Application).

¹³⁰ Minn. Stat. § 216E.03, subd. 7(b)(8); Minn. R. 7850.4100, subp. J.

¹³¹ Ex. 107 at 68, 73 (EA); Ex. 302 at 6-2 (Application).

¹³² Minn. Stat. § 216E.03, subd. 7(b)(10); Minn. R. 7850.4100, subp. K.

¹³³ See Ex. 302 at 8-1 (Application).

¹³⁴ Minn. R. 7850.4100, subp. L.

¹³⁵ Ex. 107 at 19 (EA); Ex. 302 at 4-6 (Application).

¹³⁶ Ex. 302 at 4-7 (Application).

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

125. Minnesota's HVTL factors require consideration of the adverse human and natural environmental effects that cannot be avoided.¹³⁷

126. Unavoidable adverse impacts include the physical impacts to the land due to construction of the Project.¹³⁸ However, as detailed in the Application and EA, the Applicant will employ mitigation measures to limit Project impacts.

M. Irreversible and Irretrievable Commitments of Resources

127. Minnesota's high voltage transmission line factors require consideration of the irreversible and irretrievable commitments of resources that are necessary for the Project.¹³⁹

128. Irreversible impacts include the land required to construct the transmission line. While it is possible that the structures and conductors could be removed and the right-of-way restored to previous conditions, this is unlikely to happen in the reasonably foreseeable future.¹⁴⁰

129. There are few commitments of resources associated with the Project that are irretrievable. These impacts are primarily related to Project construction, including the use of water, aggregate, hydrocarbons, steel, concrete, wood, and other consumable resources. The commitment of labor and fiscal resources is also considered irretrievable.¹⁴¹

130. The majority of the Proposed Route parallels land that has already been committed to road and existing transmission line rights-of-way.¹⁴²

XV. Summary of Factors Analysis

131. The Proposed Route is designed to minimize overall impacts. The Proposed Route parallels road right-of-way and existing transmission line right-of-way where possible to minimize human and environmental impacts; includes right-of-way entirely on land leased by Great River Energy and where it has obtained transmission easement agreements, thereby minimizing conflict, controversy, and human impacts; and minimizes the number of residences in proximity to the Transmission Line thereby reducing human impacts; accommodates landowner concerns and other existing infrastructure, thereby minimizing impacts to people in the Project area.¹⁴³

¹³⁷ Minn. Stat. § 216E.03, subd. 7(b)(5)-(6); Minn. R. 7850.4100, subp. M.

¹³⁸ See Ex. 107 at 77 (EA).

¹³⁹ Minn. Stat. § 216E.03, subd. 7(b)(11); Minn. R. 7850.4100, subp. N.

¹⁴⁰ Ex. 107 at 77 (EA).

¹⁴¹ Ex. 107 at 77 (EA).

¹⁴² Ex. 107 at 77 (EA).

¹⁴³ See, e.g., Ex. 107 at 26 (EA).

132. No route alternatives were proposed during scoping, and EERA did not identify any reasonable alternatives to Great River Energy's Proposed Route.¹⁴⁴

133. Based on consideration of all routing factors, the Proposed Route is the best route for the Project.

XVI. Notice

134. Minnesota statutes and rules require Applicant to provide certain notice to the public and local governments before and during the Application for a Route Permit process.¹⁴⁵

135. Applicants provided notice to the public and local governments in satisfaction of Minnesota statutory and rule requirements.¹⁴⁶

136. Minnesota statutes and rules also require EERA and the Commission to provide certain notice to the public throughout the Route Permit process.¹⁴⁷ EERA and the Commission provided the notice in satisfaction of Minnesota statutes and rules.¹⁴⁸

XVII. Completeness of EA

137. The EA process is the alternative environmental review approved by the Environmental Quality Board (EQB) for high voltage transmission lines.¹⁴⁹ The Commission is required to determine the completeness of the EA.¹⁵⁰ An EA is complete if it and the record created at the public hearing address the issues and alternatives identified in the Scoping Decision.¹⁵¹

138. The evidence in the record demonstrates that the EA is adequate because the EA and the record created at the public hearing and during the subsequent comment period address the issues and alternatives raised in the Scoping Decision.¹⁵²

¹⁴⁴ Ex. 107 at 20 (EA).

¹⁴⁵ Minn. Stat. § 216E.03, subds. 3a, 4; Minn. R. 7850.2100, subps. 2, 4.

¹⁴⁶ Ex. 300 (Notice of Intent to Submit a Route Permit Application under the Alternative Permitting Process); Ex. 303 (Notice of Route Permit Application); Ex. 304 (Affidavits of Mailing and Publication).

¹⁴⁷ Minn. Stat. § 216E.03, subd. 6; Minn. R. 7850.2300, subp. 2; Minn. R. 7850.3700, subps. 2, 3, and 6.

¹⁴⁸ Ex. 101 (Notice of Public Information and Scoping Meeting And Affidavit of Service Affidavit of Publication); Ex. 106 (Notice: Availability of Environmental Assessment And Affidavit of Service); Ex. 108 (Notice: Availability of Environmental Assessment published in the EQB Monitor); Ex. 200 (Notice of Comment Period on Application Completeness); Notice of Commission Meeting (July 5, 2019) (eDocket No. 20197-154189-07); Notice of Public Information and Environmental Assessment Scoping Meeting (Sept. 9, 2019) (eDocket No. 20199-155731-01); Ex. 204 (Published Notice of Public Information and Environmental Assessment Scoping Meeting); Ex. 208 (Notice of Public Hearing).

¹⁴⁹ Minn. R. 4410.4400, subp. 6.

¹⁵⁰ Minn. R. 7850.3900, subp. 2.

¹⁵¹ *Id.*

¹⁵² Ex. 105 (Scoping Decision for Environmental Assessment and Affidavit of Service); Ex. 107 at 5–7 (EA).

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

CONCLUSIONS

1. The Commission has jurisdiction to consider the Application.
2. The Commission determined that the Application was substantially completed and accepted the Application August 5, 2019.
3. EERA has conducted an appropriate environmental analysis of 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.
4. Applicants gave notice as required by Minn. Stat. § 216E.04, subd. 4; Minn. R. 7850.2100, subp. 2; and Minn. R. 7850.2100, subp. 4.
5. Notice was provided as required by Minn. Stat. § 216E.04, subd. 6; Minn. R. 7850.3500, subp. 1; Minn. R. 7850.3700, subps. 2, 3, and 6; and Minn. R. 7850.3800.
6. A public hearing was conducted. Proper notice of the public hearing was provided, 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 satisfies 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 electrical system reliability and 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 the Minnesota Environmental Rights Act.
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. Any of the foregoing Findings more properly designated Conclusions are hereby adopted as such.

Proposed High-Voltage Transmission Line Route Permit

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION
ROUTE PERMIT FOR A
HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
BECKER COUNTY

ISSUED TO
GREAT RIVER ENERGY

PUC DOCKET NO. ET2/TL-19-311

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

GREAT RIVER ENERGY

Great River Energy is authorized by this route permit to construct and operate 0.8 mile of new single circuit 115 kilovolt (kV) transmission line between Lake Region Electric Cooperative's Lake Eunice Substation and Great River Energy's LR-CF 115 kV transmission line in Becker County, Minnesota.

The high-voltage transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the route maps and in compliance with the conditions specified in this permit.

Approved and adopted this ____ day of _____

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.

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ATTACHMENTS

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

Attachment 2 – Compliance Filing Procedure for Permitted Energy Facilities

Attachment 3 – Route Maps

1 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Great River Energy to construct and operate approximately 0.8 mile of single circuit 115 kV transmission line between Lake Region Electric Cooperative's (LREC) Lake Eunice Substation and Great River Energy's LR-CF 115 kV transmission line, as identified in the attached route maps hereby incorporated into this document.

1.1 Preemption

Pursuant to Minn. Stat. § 216E.10, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

2 PROJECT DESCRIPTION

The Project is located southwest of the city of Detroit Lakes in Lake Eunice Township, Becker County. The project involves removing a 0.8-mile segment of Great River Energy's existing 10.24-mile 41.6 kV LR-LET transmission line and constructing a new 0.8-mile 115 kV transmission line in its place. This segment of transmission line to be replaced runs between the existing Lake Eunice Substation and the LR-CF 115 kV transmission line.

2.1 Project Location

The project is located in Lake Eunice Township, Becker County, Minnesota.

County	Township Name	Township	Range	Section
Becker	Lake Eunice	138	42	35

2.2 Substations and Associated Facilities

A three-way switch structure will be installed on the LR-CF 115 kV transmission line at the interconnection point.

The Project also includes the removal of 2.85 miles of the LR-LET 41.6 kV transmission line from the Audubon Switch to Structure 161, and modifications by LREC to its Lake Eunice Substation. This work is not authorized under this permit and will be permitted under the jurisdiction of Becker County.

2.3 Structures

The structures authorized for the project will be single pole wood horizontal post structures capable of supporting a single 115 kV circuit and a 12.5 kV distribution underbuild. Laminated wood poles or steel poles may be required in some locations for angles or in areas where soil conditions are poor and guying is not practical. The structures will be 20 inches in diameter at ground level and 70 to 80 feet in height with an average span of 200 to 300 feet between structures. The structures will be direct-embedded by boring or excavating a 2 to 5 foot diameter hole 8 to 15 feet deep and backfilling with excavated material, native soil, or crushed rock. In areas of poor soil conditions or special cases, concrete pier foundations may be necessary. The three-way switch structure will consist of a monopole steel structure set on concrete pier foundation.

2.4 Conductors

The three single conductor phase wires will be 477-kcmil 26/7 aluminum conductor steel reinforced (ACSR) or a conductor of similar capacity. A shield wire will be installed above the conductors for lightning protection.

3 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The route is generally described as follows:

The new 115 kV transmission line extends north from LREC's existing Lake Eunice Substation for approximately 0.8 mile along the west side of St. Marys of the Lake Road to a new three-way switch on Great River Energy's existing LR-CF 115 kV transmission line. The alignment will parallel and will be offset approximately 10 to 15 feet west of the existing 41.6 kV LR-LET transmission line that is being removed and replaced.

The route width approved by this permit is 200 feet wide for the transmission line and 400 feet wide around the Lake Eunice Substation to accommodate routing the line into the substation. The identified route widths on the attached route maps provide the Permittee with flexibility

for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (*i.e.*, permanent and maintained rights-of-way) must be located within this designated route unless otherwise authorized by this permit or the Commission.

4 RIGHT-OF-WAY

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 90 feet in width. The permanent right-of-way is typically 45 feet on both sides of the transmission line measured from its centerline.

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7850.4100. The actual right-of-way will generally conform to the anticipated alignment identified on the Route Maps, unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. R. 7850.4100 and the other requirements of this permit; and for highways under the jurisdiction of the Minnesota Department of Transportation, the procedures for accommodating utilities in trunk highway rights-of-way.

4.1 Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. These constraints may arise from any of the following:

1. Unforeseen circumstances encountered during the detailed engineering and design process.
2. Federal or state agency requirements.

3. Existing infrastructure within the transmission line route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7850.4900.

5 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the transmission line and associated facilities over the life of this permit.

5.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, county auditor and environmental office, and city and township clerk in which any part of the route is located.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's *Rights-of-Way and Easements for Energy Facility Construction and Operation Fact Sheet*.¹

5.2 Access to Property

The Permittee shall contact landowners prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner.

¹ http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf

5.3 Construction and Operation Practices

The Permittee shall follow those specific construction practices and material specifications described in its June 4, 2019 *Lake Eunice 115 kV Transmission Conversion Project Route Permit Application*, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.2 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the transmission line of the terms and conditions of this permit.

5.3.3 Public Services and Public Utilities

During construction, the Permittee shall minimize any disruption to public services and public utilities. To the extent disruptions to public services or public utilities occur these will be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall consult with landowners, townships, cities, and counties along the route and consider concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.3.4 Temporary Workspace

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should be used to minimize impacts on access paths and construction areas.

5.3.5 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0100 to 7030.0080, at all times, and at all appropriate locations during operation of the facility. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

5.3.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners and land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

5.3.7 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

5.3.8 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal

permits or laws and landowner agreements. All requirements of the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (DNR), and local units of government shall be met.

5.3.9 Vegetation Management

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation will not pose a threat to the transmission facility or impede construction.

5.3.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, DNR, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by project construction activities. The Permittee shall develop an Invasive Species Prevention Plan to prevent the introduction and spread of

invasive species on lands disturbed by project construction activities and file with the Commission 30 days prior to commencing construction.

5.3.12 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

5.3.13 Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

5.3.14 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the transmission facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

5.3.15 Avian Protection

The Permittee in cooperation with the DNR shall identify areas of the project 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.

5.3.16 Restoration

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

5.3.17 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.3.18 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.3.19 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.4 Electrical Performance Standards

5.4.1 Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliamperes rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code (NESC). The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.4.2 Electric Field

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

5.4.3 Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

5.5 Other Requirements

5.5.1 Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the NESC, and North American Electric Reliability Corporation (NERC) requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. The transmission line shall be equipped with protective devices to safeguard the public if an accident occurs.

5.5.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6 SPECIAL CONDITIONS

No special conditions have been identified for the Project.

7 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1 Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

9.2 Status Reports

The Permittee shall report to the Commission on progress during finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration. Reports shall describe construction activities and progress and activities undertaken in compliance with this permit. Reports shall include text and photographs.

9.3 In-Service Date

At least three days before the facility is to be placed into service, the Permittee shall notify the Commission of the date on which the facility will be placed into service and the date on which construction was completed.

9.4 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

9.5 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

9.6 Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- (a) To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.
- (b) To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- (c) To sample and monitor upon the facilities easement of the property.
- (d) To examine and copy any documents pertaining to compliance with the conditions of this permit.

10 PERMIT AMENDMENT

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

11 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer. The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12 REVOCATION OR SUSPENSION OF THE PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.

ATTACHMENT 1

Complaint Handling Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.
2. A person presenting the complaint should, to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. initial date of the complaint;
 - c. tract, parcel number, or address of the complaint;
 - d. a summary of the complaint; and
 - e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. summary of activities undertaken to resolve the complaint; and
 - g. a statement on the final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Public Advisor at 1-800-657-3782 (voice messages are acceptable) or publicadvisor.puc@state.mn.us. For e-mail reporting, the email

subject line should read “PUC EFP Complaint” and include the appropriate project docket number.

Monthly Reports: During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to Will Seuffert, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of one year following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

H. Commission Process for Unresolved Complaints

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate persons if it determines that the

complaint is a substantial complaint. With respect to such complaints, the permittee and complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Public Advisor at 1-800-657-3782 or publicadvisor.puc@state.mn.us. The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

ATTACHMENT 2

Compliance Filing Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of submitting information required by Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all known compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall file all compliance filings with Will Seuffert, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at:
<https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to file documents.

2. All filings must have a cover sheet that includes:
 - a. Date
 - b. Name of submitter/permittee
 - c. Type of permit (site or route)
 - d. Project location
 - e. Project docket number
 - f. Permit section under which the filing is made
 - g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being electronically filed, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Will Seuffert, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any electronically filed document.

PERMIT COMPLIANCE FILINGS¹

PERMITTEE: Great River Energy

PERMIT TYPE: High-Voltage Transmission Line Route

PROJECT LOCATION: Lake Eunice Township, Becker County, Minnesota

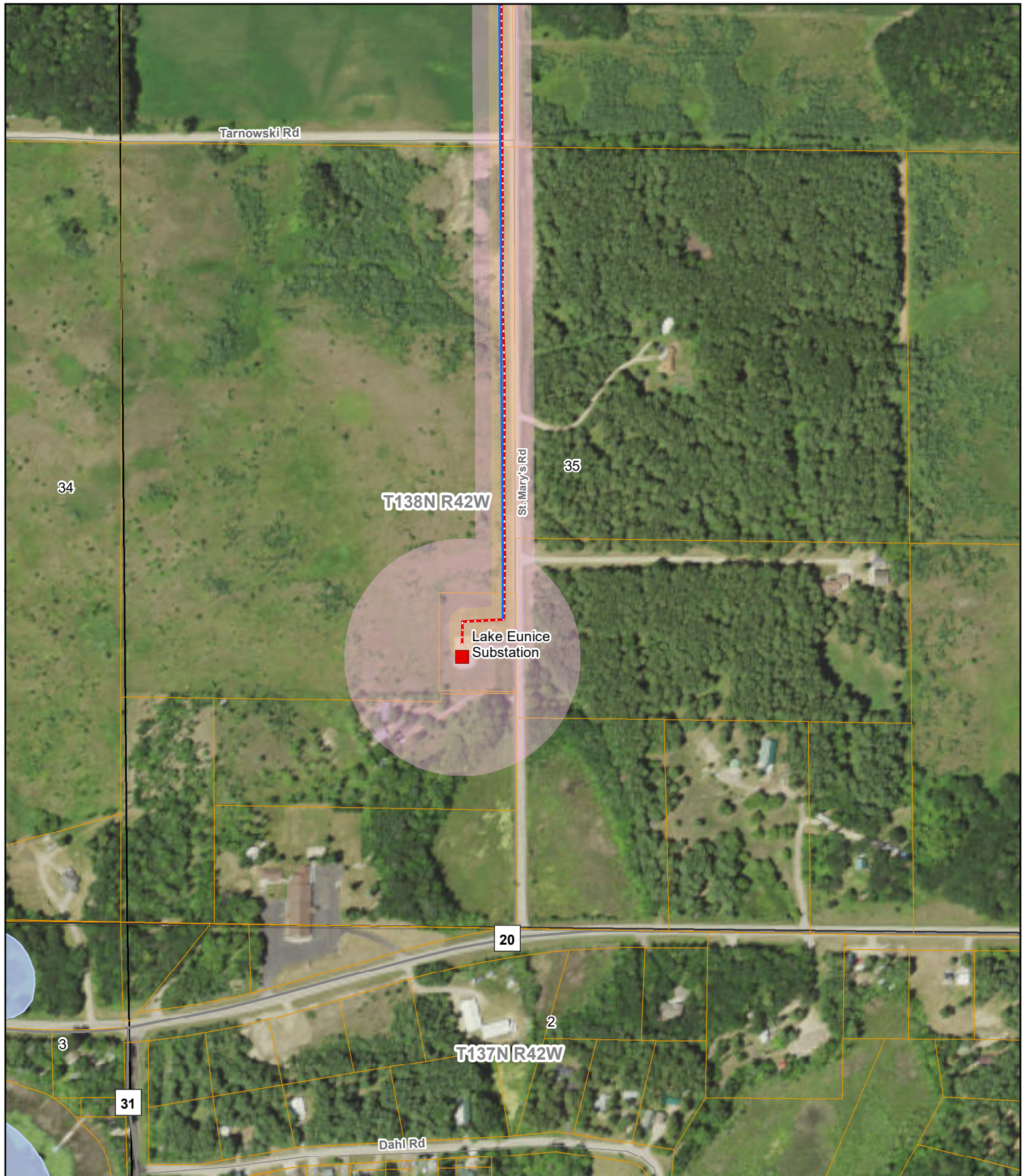
PUC DOCKET NUMBER:

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	5.1	Permit Issuance	30 days after permit issuance
	5.3.1	Field Representative	14 days prior to commencing construction
	5.3.10	Application of Pesticides	Notice 14 days prior to application
	5.3.11	Invasive Species Prevention Plan	30 days prior to commencing construction
	5.3.16	Site Restoration Report	60 days after completion of all restoration activities
	5.5.2	List of Other Required Permits	Upon request
	7	Delay in Construction	Four years after permit issuance, as necessary
	8	Complaint Procedures	Prior to commencing construction
	9.1	Plan and Profile	30 days prior to commencing construction

¹ This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	9.2	Status Reports	Monthly through restoration
	9.3	Notice of Operation and Completion of Construction	Three days prior to commercial operation
	9.4	As-Builts	90 days after construction is complete
	9.5	GPS Data	90 days after construction is complete
	Complaint Reporting	Monthly Complaint Reports	See Route Permit Attachment 1
	Complaint Reporting	Immediate Complaint Reports	By the following day throughout the life of the permit

ATTACHMENT 3
Route Permit Maps



Great River Energy

- 115-kV transmission line
- - - Existing GRE LR-LET 41.6-kV transmission line
- Existing distribution substation

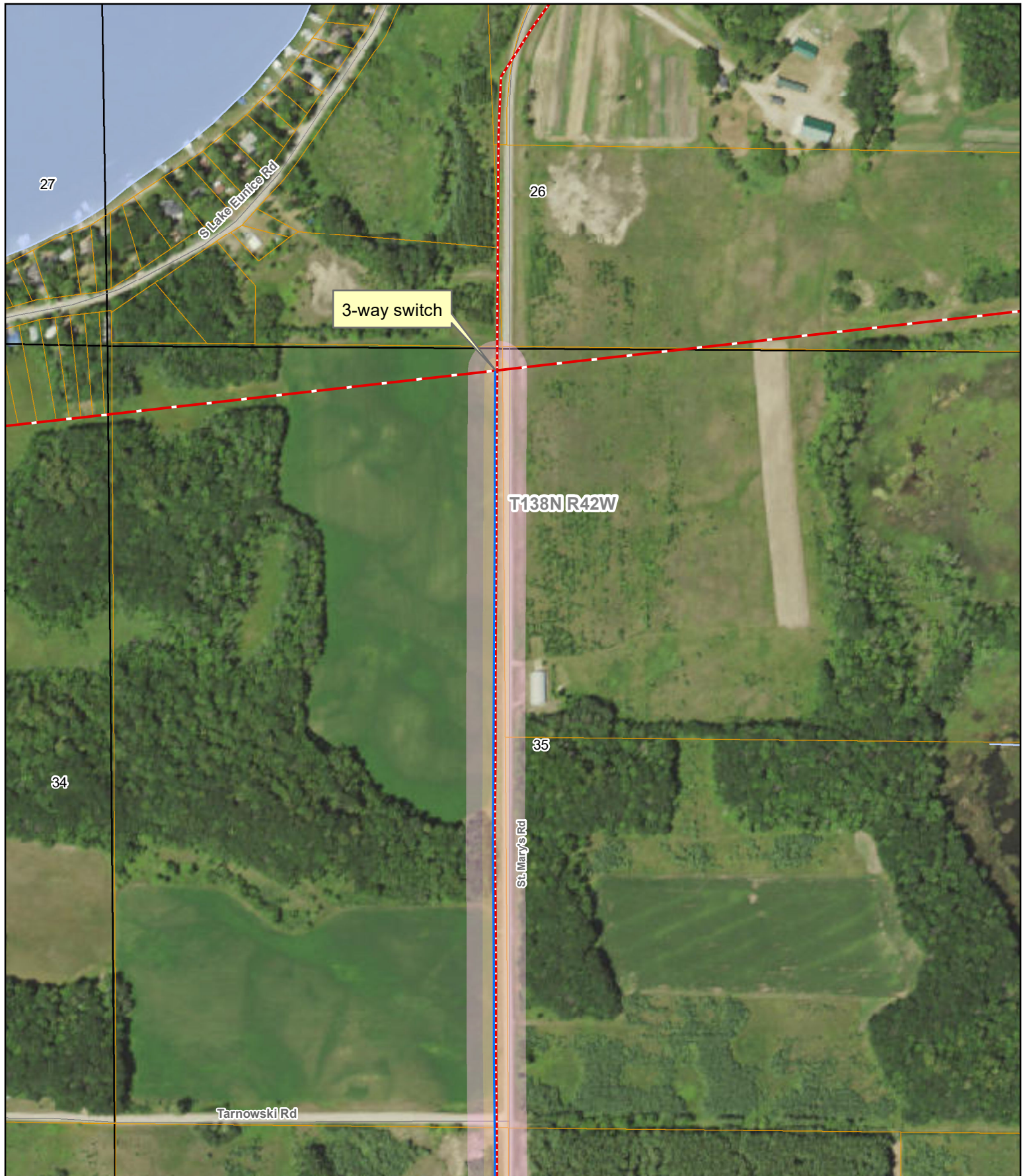
- 90 foot right-of-way
- 200 foot route
- 400 foot route

GIS Data sources include: MNGEO, MNDNR, MNDOT, and Great River Energy

0 250 500 Feet



**Lake Eunice
115- kV Transmission Project
PUC Docket No. 19-311**



Great River Energy

- 115-kV transmission line
- Existing GRE LR-LET 41.6-kV transmission line
- Existing GRE LR-CF 115-kV transmission line

- 90 foot right-of-way
- 200 foot route

GIS Data sources include: MNGEO, MNDNR, MNDOT, and Great River Energy

0 250 500 Feet



**Lake Eunice
115- kV Transmission Project
PUC Docket No. 19-311**