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July 1, 2021

Via Electronic Filing

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

Re: Great River Energy and Nexus Line, LLC's Joint Request for Partial Transfer of Legacy Construction Permit, Docket No. ET2/TL-21-434.

Dear Mr. Seuffert:

Pursuant to Minn. R. 7850.5000, Great River Energy, on behalf of itself and Nexus Line, LLC ("Nexus") (collectively, the "Applicants"), respectfully submits this Request for Partial Transfer of the Construction Permit issued by the Minnesota Environmental Quality Council in Docket No. CU-TR-1 on June 3, 1976. The Construction Permit serves as the legacy "Route Permit" for Great River Energy's 400 kV HVDC high voltage transmission line; HVDC Converter Station; and associated HVDC facilities located in west central Minnesota (collectively referred to herein as the "HVDC System").¹ The HVDC System extends from the North Dakota border in Traverse County to the 345 kV Dickinson Substation in Rockford Township, Wright County, Minnesota, and serve as generator interconnection facilities.

The Applicants seek a "partial" transfer of the Construction Permit because, after the planned sale of the HVDC System, Great River Energy will retain ownership of the AC transmission facilities subject to the Permit, including the double-circuit 345 kV HVTL, more commonly referred to as the CDX line, from the Dickinson Substation to the existing Coon Creek Substation site in Coon Rapids, Anoka County; the Dickinson Substation; and associated facilities (collectively referred to herein as the "GRE Retained Facilities"). Appended as Attachments B and C are illustrative diagrams showing the delineation between the HVDC System and the GRE Retained Facilities.²

¹ A copy of the Construction Permit is appended hereto as Attachment A.

² Attachment B provides the general route of the HVDC System and the GRE Retained Facilities. Attachment C provides a more detailed illustrative of the delineation of ownership between the HVDC System and the GRE Retained (AC) Facilities at the Dickinson Substation in Minnesota. In accordance with Minnesota Rules, part 7829.0500 and Minnesota Statutes Chapter 13, Great River Energy has designated Attachment C as **NONPUBLIC DATA – NOT FOR PUBLIC DISCLOSURE** because it contains security information, as defined in Minn. Stat. § 13.37, subd. 1(a) which, if made public, could substantially jeopardize the security of Great River Energy's facilities against theft, tampering, improper use, attempted illegal disclosure, trespass, or physical injury. There is substantial threat that providing this information publicly could put these facilities, and the surrounding environments, at risk of tampering, trespass or physical injury from individuals intent on doing harm to the facilities. Great River Energy believes this information would be properly classified as critical energy infrastructure and protected under federal law if it were provided to federal agencies.

Great River Energy has entered into an Asset Purchase Agreement ("APA") pursuant to which Great River Energy will sell (1) Coal Creek Station³ to Rainbow Energy Center, LLC ("REC"); and (2) the HVDC System to Nexus, upon receiving regulatory approval for the purchase from the Federal Energy Regulatory Commission ("FERC") and satisfying other conditions precedent set forth in the APA (the "Transaction"). Great River Energy and Nexus have also agreed to the terms of a long-term Operations and Maintenance ("O&M") Agreement that will be executed and become effective as of the closing of the Transaction. Under the terms of the O&M Agreement, Great River Energy will continue to operate and maintain the HVDC System on behalf of Nexus. In its role as the operations and maintenance provider, Great River Energy will continue to be obligated to comply with the terms of the Construction Permit and meet reliability standards promulgated by the North American Electric Reliability Council ("NERC") applicable to transmission operators and planners. Great River Energy plans to use the same technicians, engineers and crews that operate the HVDC System today to continue to do so under the O&M Agreement. This will provide continuity not only for the workforce, but also for landowners and the neighboring communities.

As demonstrated in this filing and the attached affidavits, Nexus has confirmed that it "will comply with the conditions of the permit" as required by Minn. R. 7850.5000. Great River Energy, of course, will also continue to comply with the Construction Permit as applicable to the GRE Retained Facilities and in its role as the O&M provider for the HVDC System. Applicants respectfully request that the Commission issue an order approving the Partial Transfer by September 1, 2021.

I. DESCRIPTION OF GRE AND NEXUS

Great River Energy is a generation and transmission cooperative corporation organized under the laws of the state of Minnesota that supplies all, or a share of, the electric requirements for twenty-eight (28) member distribution cooperatives in Minnesota and Wisconsin. Great River Energy owns or contracts for more than 2,800 MW of generating capacity and 4,800 miles of transmission facilities in Minnesota, North Dakota and Wisconsin.

Nexus is a special purpose entity that was formed to acquire and own the HVDC System. Nexus is owned by REMC Assets, LP, a North Dakota limited partnership, which is in turn owned by REMC Group, LLC, a North Dakota limited liability company. Nexus is an affiliate of Rainbow Energy Marketing Corp, a North Dakota-based asset management and energy trading company with more than 25 years of experience in the electricity, natural gas, crude oil and refined product markets. As part of its asset management services, Rainbow Energy Market Corp focuses on load forecasting, market analysis, system optimization, wholesale market transaction management, transmission congestion management, fuel supply and management, market settlement services, and carbon credit trading. As described above, Nexus and GRE entered into a long-term O&M

³ Coal Creek Station is a 1,151 MW coal-fired generation facility located in Underwood, North Dakota. As part of CCS' development, a +/-400 kV 436-mile HVDC line was constructed in the mid-1970's to deliver the output of the Plant to GRE load in Minnesota. For over 40 years, the output of the Plant has been delivered to the Dickinson Substation in Minnesota which is the end of the HVDC line. In that respect, the HVDC System functions as generator interconnection facilities.

Agreement to ensure consistent and experienced operation and maintenance of the HVDC System following its transfer to Nexus.

II. COMMUNICATIONS

The Applicants respectfully request that the following persons be placed on the Commission's official service list for this docket:

For Great River Energy:

Dan Leshner, SR/WA
Transmission Permitting & Land Rights
Great River Energy
12300 Elm Creek Blvd
Maple Grove, MN 55369
763-445-5975
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Brian M. Meloy
Stinson LLP
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Minneapolis, MN
612-335-1500
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For Nexus:

Christina K. Brusven
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425
612-492-7412
cbrusven@fredlaw.com

III. BACKGROUND

In 1975, Great River Energy's predecessor entities Cooperative Power Association ("CPA") and United Power Association ("UPA") filed applications for approval to construct and operate the HVDC System⁴ under the applicable provisions of Minnesota Law, including the Minnesota Power Plant Siting Act.⁵

⁴ *Application for a Corridor Designation (CU-TC-1)* (April 8, 1975) before the Minnesota Environmental Quality Council ("MEQC"); *Application for Certificate of Need* (Oct. 6, 1975) before the Minnesota Energy Agency ("MEA"); *Application for Corridor Designation (CU-TC-2)* (Nov. 10, 1975) before the MEQC; *Application for Route Designation and a Construction Permit (CU-TC-1)* (Nov. 20, 1975) before the MEQC.

⁵ The Minnesota Power Plant Siting Act ("the Act") was passed by the Minnesota legislature in 1973. 1973 Minn. Laws Chap. 591, Sec. 1; Minn. Stat. § 116C.51 (1973). As part of the Act, the MEQC was given authority over power plant siting and transmission line route selection in the state. *Id.* In 2005, authority under the Act was transferred from the MEQC to the PUC. See 2005 Minn. Laws Chap. 97, Article 3, Sec. 1, 2. Subsequently, the Act provisions found in Minn. Stat. Ch. 116C were renumbered and incorporated into Minn. Stat. Chapter 216E.

On October 3, 1975, pursuant to Minn. Stat. § 116C.57 (1974), the Minnesota Environmental Quality Council ("MEQC")⁶ granted a Certificate of Corridor Compatibility to CPA and UPA identifying the designated lands encompassing the corridor for construction of the Facilities.⁷ On April 2, 1976, pursuant to 116H.13 (1974), the Minnesota Energy Agency ("MEA")⁸ issued a Certificate of Need for the Facilities.⁹

On May 5, 1976, pursuant to Minn. Stat. § 116D.04 (1974) and Minn. Reg. MEQC 22 (1974), the Minnesota Department of Natural Resources issued the Final Environmental Impact ("EIS") Statement for CPA/UPA High Voltage Transmission Lines and Associated Facilities.¹⁰ On June 3, 1976, pursuant to Minn. Stat. § 116C.57 and Minn. Reg. MEQC 73(c)(6), the MEQC issued a Construction Permit to CPA and UPA for construction of the Facilities and determined that the EIS was adequate.¹¹

On June 19, 1997, pursuant to its jurisdiction under Minn. R. 4410.4100 (1996), the Minnesota Environmental Quality Board ("MEQB") granted a minor alteration to relocate two 345 kV transmission line segments along Trunk Highway 610 in Brooklyn Park to accommodate

⁶ The MEQC was established in 1972 for purposes of coordinating Minnesota's environmental efforts and administering the Power Plant Siting Act passed in 1973. See Executive Order 72-25 (Wendell Anderson, April 5, 1972); 1973 Minn. Laws Chap. 342, Sec. 3; <https://lrl.mn.gov/agencies>. In 1975, the MEQC was renamed the Minnesota Environmental Quality Board ("MEQB"). 1975 Minn. Laws Chap. 271, Sec. 3.

⁷ *In the Matter of the Application by Cooperative Power Association and United Power Association for Corridor Designation for a High Voltage Transmission Line and Associated Facilities*, MEQC Docket No. CU-TC-1. By its terms the Certificate was only effective until October 4, 1977.

⁸ The Minnesota Energy Agency (MEA) was established in 1974 for purposes of establishing procedures and guidelines to be used in developing a plan for the management of Minnesota's energy future. Executive Order 74-74 (Wendell Anderson, Jan. 2, 1974); 1974 Minn. Laws Chap. 307, Sec. 1. The MEA was given authority to review the need for power lines. *Id.* In 1981, the duties and functions of MEA were transferred to the Minnesota Department of Energy, Planning and Development (which became the Department of Energy and Economic Development in 1983). See Minnesota Legislative Reference Library at <https://lrl.mn.gov/agencies>. Also in 1983, authority over review of need for large energy facilities was transferred from the Department of Energy and Economic Development to the PUC. 1983 Minn. Laws Chap. 289, Sec. 46. Ultimately, the remaining duties and responsibilities of MEA became part of predecessor agencies of the Minnesota Department of Employment and Economic Development ("DEED") which was established in 2003. 2003 Minn. Laws 1st Sp. Sess. Chap. 4.

⁹ *In the Matter of the Application of Cooperative Power Association and United Association for a Certificate of Need for a Large High Voltage Transmission Line and Associated Facilities*.

¹⁰ *Final Environmental Impact Statement, CPA/UPA High Voltage Transmission Lines and Associated Facilities* (May 6, 1976), MEQC Docket No. CU-TR-1.

¹¹ *In the Matter of the Application by Cooperative Power Association and United Power Association for a Construction Permit for a High Voltage Transmission Line and Associated Facilities* ("CP/UPA HVTL Application"), MEQC Docket No. CU-TR-1.

planned highway construction including 0.7 mile section at the intersection of Trunk Highways 610 and 169 and 0.5 mile section at the intersection of Trunk Highway 610 and Broadway Avenue.¹²

On January 1, 1999, CPA and UPA merged to form GRE and GRE assumed the rights and obligations under the permit as CPA and UPA's successor in interest. On November 15, 2001, pursuant to its jurisdiction under Minn. R. 4410.4100 (2000), the MEQB granted GRE's request for a minor alteration to Construction Permit and allowed an increase in the DC line nominal operating voltage from 400 kV to 410 kV.¹³

IV. REQUEST FOR PARTIAL TRANSFER OF CONSTRUCTION PERMIT

In light of the permitting history by the MEQC, MEQB and MEA and recognizing the transfer of authority to the Commission under the Act, the Applicants hereby make this Partial Permit Transfer Request to the Commission.¹⁴ In particular, pursuant to Minn. R. 7850.5000 and as further detailed herein, Great River Energy as Permittee for the HVDC System requests approval of a partial transfer the Construction Permit applicable to the HVDC System to Nexus and requests that the Commission issue an Order finding that the Construction Permit as issued applies to Nexus as owner of the HVDC System and Great River Energy with respect to the GRE Retained Facilities. Such an Order would appropriately recognize that each of the conditions set forth in the Construction Permit apply to both the HVDC System and the GRE Retained Facilities, with one minor exception.

Section 2.4 of the Construction Permit provides that "the converter station shall be designed and operated in such a manner that the audible noise at the perimeter of the CU property shall not exceed 50 dB(A)." As shown in Attachment C, the current site of the "CU property" encompasses the HVDC converter station, which will be owned by Nexus, and the adjacent Dickinson Substation – a GRE Retained Facility. Therefore, Section 2.4 should continue to apply to the perimeter of the entire site, whether owned by Great River Energy or Nexus, and not artificial boundaries created by the bifurcation of the Permit.

Finally, in support of this request, in Attachment D, GRE provides Affidavits of Ms. Priti Patel, Great River Energy's Vice President & Chief Transmission Officer, as Permittee and Stacy Tschider, Nexus Line's President, as Transferee. The Affidavits confirm that (i) Nexus can and will comply with the terms and conditions of the Construction Permit with respect to the HVDC System;

¹² *In the Matter of the Application by United Power Association for a Minor Route Alteration to MEQB Construction Permit CU-TR-1*, Findings of Fact, Conclusions and Order Granting Minor Route Alteration (June 19, 1997), MEQB Docket No. CU-TR-1.

¹³ *In the Matter of the Application by Great River Energy for a Minor Alteration to MEQB Construction Permit CU-TR-1 to Allow a dc Voltage Increase*, EQB Docket # 01-31-GRE.

¹⁴ Under Minn. Stat. § 15.039, Subd. 2 (2020), the new agency is a continuation of the former agency as to those matters within the jurisdiction of the former agency that are transferred.

and (ii) Great River Energy will continue to operate and maintain the HVDC System in accordance with the terms and conditions of Construction Permit.

**V.
CONCLUSION**

Applicants respectfully request that the Commission issue an order approving the Partial Transfer by September 1, 2021 to align with other regulatory and commercial milestone related to the APA.

Thank you for your attention to this request. Please contact me at (763) 445-5975 should you have any questions regarding this filing.

Dated: July 1, 2021

Respectfully submitted,

/s/ Dan Lesher
Dan Lesher, SR/WA
Transmission Permitting & Land
Rights
Great River Energy
12300 Elm Creek Blvd
Maple Grove, MN 55369
763-445-5975
dlesher@greenergy.com

ATTACHMENT A
CONSTRUCTION PERMIT

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY COUNCIL

RECEIVED
APR 09 1990

In the Matter of the Application
by Cooperative Power Association
and United Power Association for
a Construction Permit for a
High Voltage Transmission Line
and Associated Facilities

CONSTRUCTION PERMIT

Docket No. CU-TR-1

The Minnesota Environmental Quality Council (MEQC) hereby issues this permit to Cooperative Power Association (CPA) and United Power Association (UPA) pursuant to Minn. Stat. Sec. 116C.57 and Minn. Reg. MEQC 73(c)(6) to construct a \pm 400 kV dc high voltage transmission line (HVTL) from the North Dakota border in Traverse County to a converter station (Dickinson Substation) in Rockford Township, Wright County; a double circuit 345 kV ac HVTL from the Dickinson Substation to the existing Coon Creek Substation site in Coon Rapids, Anoka County; the Dickinson Substation; and associated facilities.

This permit is issued for the construction of the HVTL, converter station and associated facilities within the route designated by the MEQC on June 3, 1976, as depicted in hearing exhibit MEQC 7.

As a requirement of this permit, CPA and UPA shall comply with the engineering specifications, design criteria, construction and maintenance practices, and ultimate abandonment and restoration of the route described in: (1) Application for a Construction Permit for a High Voltage Transmission Line and Associated Facilities: CU-TR-1, and (2) Engineering

Report R-1670. "Evaluation of Electrical Environmental Effects:
+ 400 kV DC Transmission Line, 345 kV AC D/C Transmission Line",
unless otherwise specified in the conditions of this permit.

CONDITIONS

1. General.

- (1.1) The HVTL shall be constructed within the designated route indicated in MEQC 7. Deviation from this route is subject to the conditions of Minn. Reg. MEQC 73(e)(2).
- (1.2) The width of the right-of-way shall not exceed 160 feet, except for existing 165' wide right-of-way, and except as required for guy wires on angle and dead end structures, and where guying is needed to stabilize structures in marsh areas.
- (1.3) Within the designated route, CPA and UPA shall comply with all state and federal regulations, standards, orders, and permits promulgated or issued pertaining to the centerline location, engineering design, electrical performance standards, construction, and maintenance practice and abandonment.
- (1.4) Plans showing centerline and clearing specifications shall be filed with the MEQC prior to any right-of-way clearing. Maps showing structure location shall be filed with the MEQC 60 days prior to construction.
- (1.5) A professional archeological survey of the route shall be conducted and completed by the Minnesota

Historical Society (MHS), if it so desires, by March 1, 1977, under terms agreed to by the MHS, MEQC, and CPA/UPA.

- (1.6) The use of herbicides in right-of-way maintenance shall be restricted to only those herbicides and methods of application approved by the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. Selective or basal application shall be used when practicable.
- (1.7) In accordance with existing Minnesota Department of Aeronautics/Federal Aviation Administration regulations, or such regulations that may be promulgated, CPA/UPA shall, at its expense, place colored spheres on the shield wire as a guide for aircraft pilots.
- (1.8) Cleanup of the right-of-way work areas shall be continuous throughout the construction period. After all the work has been performed, the final cleanup operation shall proceed down the right-of-way to restore it to substantially its former condition. All waste and scrap material shall be removed. All ruts and holes shall be reseeded if necessary to restore it to its original condition, as soon as practical after construction.
- (1.9) Drainage tiles broken or damaged by construction or maintenance of the line shall be repaired or replaced by CPA/UPA in accordance with standard construction

specifications as soon as practicable, or, after written notification to CPA/UPA, repaired or replaced by the landowner, with reasonable reimbursement by the utility.

- (1.10) Aesthetic tangent structures shall be used throughout the ac portion of the project except for the Mississippi River crossing.
- (1.11) The ground electrode shall be designed, constructed, and operated in such a manner so as to minimize ground current effects on buried metallic structures. CPA and UPA shall, as permitted by their construction schedule, cooperate with pipeline companies prior to the commercial operation of the HVdc system in the monopolar ground return mode, so that the pipeline companies may perform such tests as they wish to determine the ground currents, if any, which might affect their facilities.
- (1.12) CPA and UPA shall prepare and distribute brochures informing the public of safety precautions to be observed when under or near the HVTL.
- (1.13) CPA/UPA shall fully compensate all landowners and tenants for all damages arising from the construction, operation, and maintenance of the line.
- (1.14) This permit is subject to modification or revocation, and may be suspended at any time for failure to comply with the terms stated herein or the provisions

of any applicable statutes, regulations, standards, stipulations or other permits of the Council or other state agencies. The Council and/or member agencies may hereafter establish more stringent regulations or standards which can be applied to the HVTL or air emissions, noise or other effects originating therefrom. The Council may establish more stringent requirements for design, construction, operation or location of the HVTL by insertion of appropriate clauses herein if such action is deemed necessary to further protect the public health or the environment. Before the formal adoption of such additional standards, regulations or requirements, the Associations shall be afforded notice of the proposed action including a public hearing, pursuant to Chapter 15.

2. Electrical Performance Standards

(2.1) The HVTL shall be designed, constructed, and operated in such a manner that the maximum electro-static short-circuit current shall be limited to 5 milliamperes rms AC or 34 mA DC and the maximum capacitive discharge energy shall be limited to 25 joules between the ground and any large object under or near the HVTL including, but not limited to, a motor vehicle, large agricultural equipment and implements (with or without a boom), fence, building or structural part, or irrigation device. In the event

that such current or energy levels may be exceeded, applicant shall take such mitigative measures as may be required to redundantly ground such objects to limit the potential shock current and energy to the above limits.

- (2.2) The HVTL shall be designed, constructed and operated in such a manner that the electrostatic field measured at one meter above ground level shall not exceed 8.0 kV/m rms for 345 kV ac line operation and 12 kV/m measured at ground level for ± 400 kV dc line operation. Electrostatic field is defined as the field which is due to the electric charge on the transmission line conductors from the impressed voltage.
- (2.3) The HVTL shall be designed, constructed and operated in such a manner that audible noise from the HVTL at the edge of the right-of-way shall not exceed 52 dB(A) under wet conductor conditions.
- (2.4) The converter station shall be designed and operated in such a manner that the audible noise at the perimeter of the CU property shall not exceed 50dB(A).
- (2.5) The HVTL shall be designed, constructed and operated in such a manner that the ground level concentrations of ozone and oxides of nitrogen attributable to the HVTL shall not exceed MPCA Ambient Air Quality Standards.
- (2.6) If radio or television interference is caused by or from the operation of the HVTL in those areas where

good radio or television reception is presently obtained, CPA/UPA will initiate appropriate modification of the receiving antenna system or repair of loose or damaged hardware in the HVTL, or take other action necessary to restore reception to present levels.

- (2.7) Cooperative Power Association and United Power Association shall monitor the levels of ozone and oxides of nitrogen existing along the high voltage transmission line prior to operation of the HVTL and for two years after commencement of the operation of the HVTL and analyze the effects of ozone and oxides of nitrogen generated by the operation of the HVTL on vegetation adjacent to the line. The monitoring program and vegetative analysis shall be conducted at the direction of the Minnesota Pollution Control Agency (MPCA). The MPCA shall submit to the Council the components of these studies for Council approval within 60 days of the issuance of the construction permit. The utilities shall bear the cost of the monitoring program and vegetative analysis.

3. Abandonment.

- (3.1) Upon abandonment of the subject HVTL structures for the purposes of transmission of electrical energy, such structures shall be promptly removed and the right-of-way shall be returned to as near its original condition as is practicable consistent with existing land uses.

To the maximum extent practicable, and in accordance with existing state and federal laws and regulations, the following criteria shall apply to structure design and placement, right-of-way clearing, line construction, post construction cleanup, and line maintenance:

4. Structure Design and Placement.

- (4.1) Structures shall be located so as to make maximum use of existing topography and vegetation for screening.
- (4.2) The HVTL shall cross trunk highways at as near a right angle or as unobtrusively as is possible.
- (4.3) The tower structures shall be aligned to minimize the disruption of farm operations within the right-of-way. Whenever practicable and when requested by the landowner, the towers shall be placed on field boundaries.
- (4.4) CPA/UPA shall prepare letters notifying each owner of non-cropland that a HVTL and tower may cross his land and possibly disrupt his present or future irrigation plans. The letter shall include a map showing the approximate centerline of the proposed HVTL and the approximate location of the towers over and across the subject property. The letter shall also notify the owner of his right to negotiate with applicants regarding such construction on land with the potential for future irrigation.
- (4.5) No DC HVTL structure or line shall be located closer than 300' to any residence or barn immediately adjacent to said residence without prior written consent

of the owner.

- (4.6) The minimum ground to conductor clearance for the HVDC HVTL shall be 50 feet over croplands.

5. Right-of-way Clearing.

- (5.1) Clearing shall be performed to maximize preservation of natural beauty and conservation of natural resources and to minimize adverse effects on the landscape and waters of the state.
- (5.2) Right-of-way clearing shall be done only to the extent reasonable and necessary to assure line reliability and to provide suitable access for construction, operation and maintenance.
- (5.3) When clearing is done by contractors, CPA/UPA shall ensure that the contractors and those involved with field inspection fully understand the conditions set forth in this permit.
- (5.4) Where the right-of-way crosses highways and rivers, the clearing shall be done so that a screen of any existing natural vegetation is left in the right-of-way on each side of the road or river. If natural vegetation existed prior to construction and is such that a screen cannot be left and suitable natural regeneration does not occur within two years following construction, native types of shrubs and low-growing trees shall be planted by CPA/UPA to provide adequate screening.
- (5.5) If the ground surface is severely disturbed by clearing or line construction, it shall be seeded as necessary

with those ground cover species which will most rapidly prevent erosion.

6. Line Construction.

- (6.1) In croplands, the movement of heavy equipment shall be kept to a minimum and confined to as small an area as practicable. Where soil compaction occurs, the utilities shall take reasonable measures to restore the soil to as near its original condition as possible.
- (6.2) Topsoils and subsoils shall not be mixed and spread on the original grade of surrounding cropland unless so desired by the landowner. Top soil should be replaced and the area under and around each tower should be reseeded as necessary or as otherwise may be mutually agreed between the landowner/tenant and CPA/UPA.
- (6.3) Construction activities in the vicinity of streams shall be performed in compliance with the permit requirements of the Department of Natural Resources so as to minimize damage to the natural condition of the area.
- (6.4) Precautions shall be taken to avoid oil spills and other types of pollution, particularly while performing work in the vicinity of surface waters of the state.
- (6.5) During construction, CPA/UPA shall take appropriate measures to protect livestock and crops.

- (6.6) Physical construction activity in croplands should be scheduled during winter months to the maximum extent practicable consistent with project completion schedules.
- (6.7) CPA/UPA shall be responsible for the repair of farm roads and lanes damaged when obtaining access to the right-of-way and for reimbursement to the farm owner/tenant for crop loss resulting from access to the right-of-way.
- (6.8) All fences and/or gates opened or removed shall be replaced or repaired in a manner as negotiated with the landowner. CPA/UPA will install permanent type gates on fences crossing the right-of-way as required by CPA/UPA.
- (6.9) CPA/UPA shall take all practical measures, including but not limited to the grounding of fences and other objects and structures, to prevent electric shocks.

7. Transmission Line Maintenance.

- (7.1) Native vegetation, particularly that of value to wildlife, which does not pose a hazard to the transmission line shall be allowed to grow on the right-of-way.
- (7.2) Present vegetation which will not interfere with the operation and maintenance of the transmission line shall be allowed to grow on the right-of-way.

- (7.3) Access roads and service roads shall be maintained to prevent soil erosion.
- (7.4) In sensitive areas native trees, shrubs, and grass shall be restored and maintained.
- (7.5) Rights-of-way through wooded areas shall be cleared and maintained with undulating edges to avoid a tunnel effect whenever practicable.
- (7.6) In wooded areas, the central one third of the right-of-way shall be generally maintained in a grassy herbaceous cover.
- (7.7) Upon the approval of the landowner, CPA/UPA shall be responsible for the control of weeds under and immediately adjacent to tower structures. The manner and frequency of application of herbicides shall be in accordance with accepted practices. The herbicide used shall be compatible with the type of crop being grown in the adjacent field.

Dated: June 3, 1976

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY COUNCIL

Peter Vanderpoel
Peter Vanderpoel, Chairman

ATTACHMENT B
ROUTE MAP DIAGRAM

ATTACHMENT C
FACILITIES DIAGRAM

NON PUBLIC DOCUMENT -- NOT FOR PUBLIC DISCLOSURE

ATTACHMENT C
IS NON-PUBLIC IN ITS ENTIRETY

(1 page)

*Great River Energy and Nexus Line, LLC's Joint
Request for Partial Transfer of Legacy Construction Permit*

ATTACHMENT D
SUPPORTING AFFIDAVITS

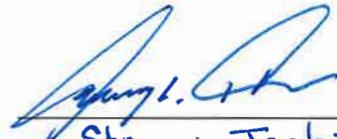
**JOINT REQUEST FOR
PARTIAL TRANSFER OF CONSTRUCTION PERMIT**

AFFIDAVIT OF STACY TSCHIDER

Stacy Tschider, under oath, states:

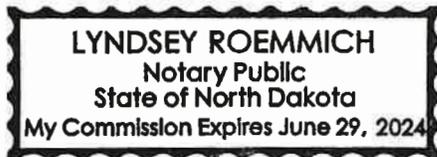
1. I am an officer of Nexus Line, LLC ("Nexus"), a North Dakota limited liability company, which is a special purpose entity that was formed to acquire and own the HVDC System. My business address is 919 South 7th Street, Suite 405, Bismarck, ND 58504. My title is President.
2. I have more than 25 years of experience in energy asset management and trading, focusing on the energy markets and infrastructure across all regions in the United States, Canada and Mexico.
3. I am submitting this Affidavit in support of Great River Energy and Nexus's Joint Request for Partial Transfer of the Construction Permit issued in part for the HVDC System identified therein, which was originally approved by the Minnesota Environmental Quality Council on June 3, 1976 in Docket No. CU-TR-1.
4. I have reviewed all of the terms and conditions of the Construction Permit.
5. Nexus Line agrees to abide by all of the terms and conditions of the Construction Permit and stands ready, willing and able to perform the obligations stated therein.
6. Nexus has agreed to enter into a long-term Operations and Maintenance ("O&M") Agreement pursuant to which Great River Energy will continue to operate and maintain the HVDC System on behalf of Nexus. Under the terms of the O&M Agreement, Great River Energy will continue to be obligated to comply with the terms of the Construction Permit and meet reliability standards promulgated by the North American Electric Reliability Council applicable to transmission operators and planners as it relates to operation of the HVDC System.
7. I have authority to bind Nexus Line in the commitments made in this Affidavit.

Dated this 1 day of July 2021.


Stacy L. Tschider

Subscribed and sworn to before me this 1st day of July 2021


Notary Public
My Commission Expires: June 29, 2024



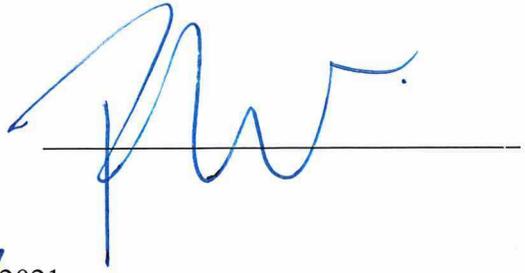
**JOINT REQUEST FOR
PARTIAL TRANSFER OF CONSTRUCTION PERMIT**

AFFIDAVIT OF PRITI PATEL

Priti Patel, under oath, states:

1. I am employed by Great River Energy ("GRE") as its Vice President & Chief Transmission Officer. My business address is 12300 Elm Creek Boulevard, Maple Grove, Minnesota 55369-4718.
2. I have been in my current position at Great River Energy for four years and have more than 23 years of experience in the electric industry.
3. I am submitting this Affidavit in support of Great River Energy's Request for Partial Transfer of the Construction Permit issued in part for the HVDC System identified therein, which was originally approved by the Minnesota Environmental Quality Council on June 3, 1976 in Docket No. CU-TR-1.
4. I have reviewed all of the terms and conditions of the Construction Permit.
5. Upon Nexus Line, LLC's acquisition of the HVDC System, I acknowledge that Great River Energy will continue to operate and maintain the HVDC System pursuant to an Operations and Maintenance Agreement and Great River Energy agrees to abide by all of the terms and conditions of the Construction Permit applicable to such facilities as well as the facilities that will be retained by Great River Energy.
6. I have authority to bind Great River Energy in the commitments made in this Affidavit.

Dated this 1st day of July 2021.

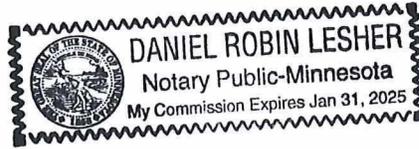


Subscribed and sworn to before me this 1st day of July, 2021



Notary Public

My Commission Expires: JAN 31, 2025



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	200 S 6th St Ste 4000 Minneapolis, MN 554021425	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Dan	Leshner	dlesher@greenergy.com	Great River Energy	12300 Elm Creek Blvd Maple Grove, MN 55369	Paper Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	No	GEN_SL_Great River Energy_General - Docket 21-434