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August 27, 2025

—Via Electronic Filing—

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

**Re: Request for Exemptions**

*In the Matter of the Application for a Certificate of Need for the Maple River to  
Cuyuna 345 kV Transmission Line Project*  
Docket No. E015,ET2,E017/CN-25-109

Dear Mr. Bull:

Minnesota Power, Great River Energy, and Otter Tail Power Company respectfully submit this Request for Exemptions from Certain Certificate of Need Application Content Requirements to the Minnesota Public Utilities Commission pursuant to Minnesota Rule 7849.0200, subp. 6.

Please contact me with any questions.

Sincerely,

/s/ Kodi J. Verhalen

Kodi J. Verhalen

Taft Stettinius & Hollister LLP

On behalf of Minnesota Power, Great River Energy, and Otter Tail Power Company

cc: Service List

STATE OF MINNESOTA  
BEFORE THE  
MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben	Chair
Hwikwon Ham	Commissioner
Audrey C. Partridge	Commissioner
Joseph K. Sullivan	Commissioner
John A. Tuma	Commissioner

IN THE MATTER OF THE APPLICATION FOR A  
CERTIFICATE OF NEED FOR THE MAPLE  
RIVER - CUYUNA 345 kV TRANSMISSION  
LINE PROJECT

Docket No. E015,ET2,E017/CN-25-109

**REQUEST FOR EXEMPTION FROM  
CERTAIN CERTIFICATE OF NEED  
APPLICATION CONTENT  
REQUIREMENTS**

**I. INTRODUCTION**

Minnesota Power, Great River Energy, and Otter Tail Power Company (collectively, the “Applicants”) respectfully submit this request for exemption from certain requirements for a Certificate of Need Application for the Maple River – Cuyuna 345 kV Transmission Project (“Project”) pursuant to Minn. R. 7849.0200, subp. 6. The Applicants intend to file separate Certificate of Need and Route Permit applications for the Project. The Certificate of Need application will be filed by February 2026 and the Route Permit application will be filed in the third quarter of 2026.

The Project involves construction of a new 345 kV single-circuit transmission line, on double-circuit capable structures, connecting Minnesota Power’s Cuyuna Substation in Crow Wing County to Otter Tail Power Company’s Maple River Substation near Fargo, North Dakota.

The Applicants believe that certain Certificate of Need application content requirements in Minn. R. Ch. 7849 should be modified to better address the nature of this Project. The Minnesota Public Utilities Commission (“Commission”) has granted similar exemptions

for other transmission line projects in the recent past.<sup>1</sup> The Applicants therefore respectfully request that the Commission grant exemptions for certain requirements as provided under Minn. R. 7849.0200, subp. 6. In lieu of some content requirements, the Applicants propose to submit alternative information that will better inform the Commission's decision regarding the need for the Project.

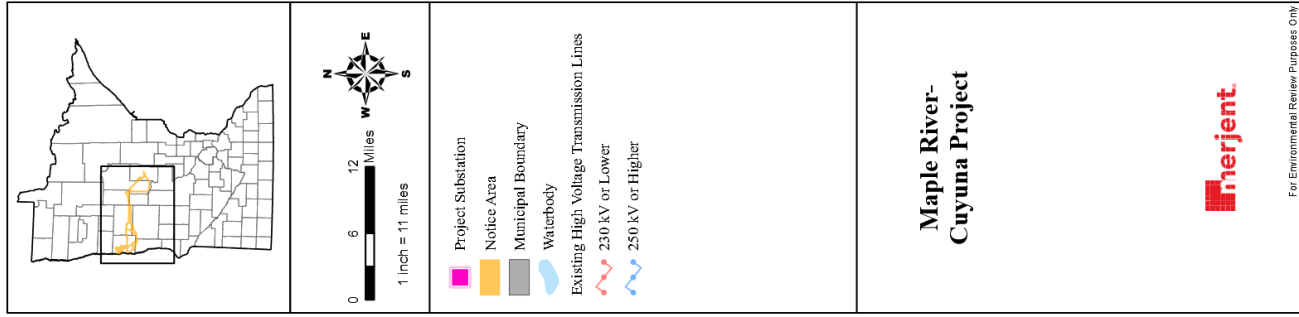
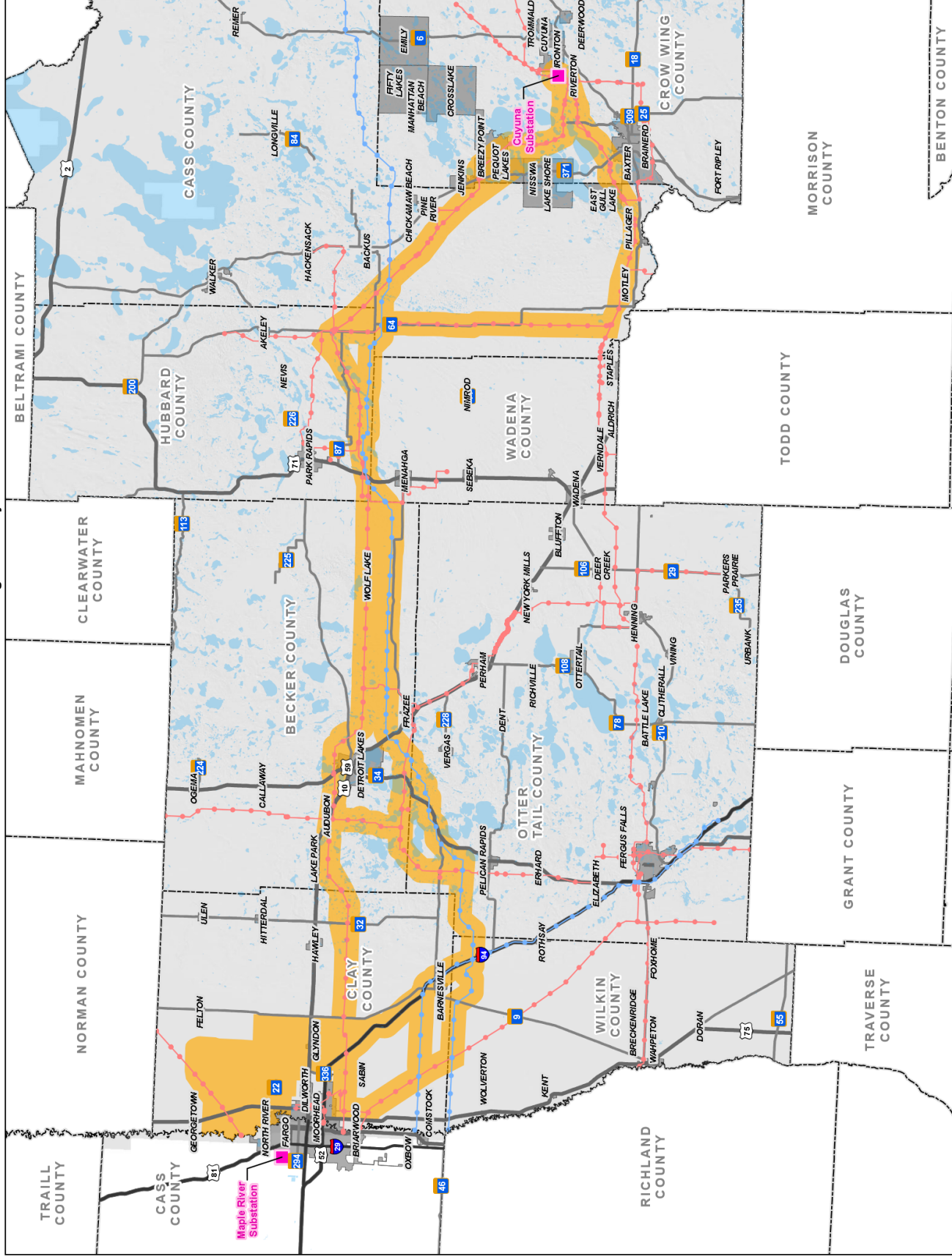
## **II. BACKGROUND**

An overview of the Project, as well as other transmission facilities in the area, is provided in Figure 1, below.

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<sup>1</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Request of Minnesota Power for a Certificate of Need for the Great Northern Transmission Line*, Docket No. E015/CN-12-1163, ORDER APPROVING NOTICE PLAN, GRANTING VARIANCE REQUEST, AND APPROVING EXEMPTION REQUEST (Feb. 28, 2013)

Figure 1. Project Overview



The Project was studied, reviewed, and approved by the Midcontinent Independent System Operator, Inc. (“MISO”) as part of its Long-Range Transmission Planning (“LRTP”) Tranche 2.1 portfolio of projects included in MISO’s 2024 Transmission Expansion Plan (“MTEP24”). The LRTP Tranche 2.1 portfolio is made up of 24 projects, including project no. 20, the Maple River – Cuyuna 345 kV Transmission Project. The Project, as part of the LRTP Tranche 2.1 portfolio, is needed to support the reliability of the regional transmission system, particularly in northwestern and central Minnesota and eastern North Dakota; provide additional transmission capacity and regional transfer capability to reliably integrate new renewable generation; meet growing electrical demand, enhance resilience during extreme weather events, and enable cost-effective regional energy transfers supporting economical grid operations.

### **III. LEGAL STANDARD AND SUMMARY OF EXEMPTION REQUESTS**

Minn. R. 7849.0220, subp. 2, part 7849.0240, and parts 7849.0260 to 7849.0340 specify the content requirements for Certificate of Need applications for large high-voltage transmission line (“LHVTL”) projects. The Commission has authority to grant exemptions from the requirements of Minn. R. Ch. 7849 pursuant to Minn. R. 7849.0200, subp. 6, which provides:

**Subp. 6 Exemptions.** Before submitting an application, a person is exempted from any data requirement of parts 7849.0010 to 7849.0400 if the person (1) requests an exemption from specified rules, in writing to the commission, and (2) shows that the data requirement is unnecessary to determine the need for the proposed facility or may be satisfied by the submitting another document. A request for exemption must be filed at least 45 days before submitting an application. The commission shall respond in writing to a request for exemption within 30 days of receipt and include the reasons for the decision. The commission shall file a statement of exemptions granted and reasons for granting them before beginning the hearing.

Based on the standard set forth in this rule, the Commission may grant exemptions when the data requirements: (1) are unnecessary to determine need in a specific case; or (2) can be satisfied by submitting documents other than those required by the rules.<sup>2</sup> For the Maple River – Cuyuna 345 kV Transmission Project, the Applicants request that the Commission grant exemptions from the following rules as they are either unnecessary to determine the need for the Project or can be satisfied by submitting alternative data:

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<sup>2</sup> *In re Application for a Certificate of Need for the Appleton – Canby 115 kV Line*, Docket No. E017/CN-06-0677, ORDER GRANTING EXEMPTIONS AND APPROVING NOTICE PLAN (Aug. 1, 2006).

Minnesota Rule	Scope of Exemption
Minn. R. 7849.0260 A(3) and C(6) (Losses)	Request an exemption from providing Project-specific loss information. The Applicants propose to provide substitute data in the form of overall system losses.
Minn. R. 7849.0260 B(4) and (8) (Transmission Lines with Different Terminals or Substations)	Request an exemption from providing a discussion on the availability of alternative transmission lines with different terminals or substations. The commission must not require evaluation of alternative end points for a high-voltage transmission line qualifying as a large energy facility unless the alternative end points are (i) consistent with end points identified in a federally registered planning authority transmission plan, or (ii) otherwise agreed to for further evaluation by the applicant. <sup>3</sup>
Minn. R. 7849.0270 (Peak Demand and Annual Consumption Forecast; System Revenue Requirements)	Request exemption from providing forecasting and capacity information for the Applicants' system and to provide forecast information from the Applicants' most recent Annual Forecast Report ("AFR"). Request exemption from providing system revenue requirements and provide explanation of how MISO spreads wholesale electricity costs and a general estimate of rate impact of Project on Minnesota Power's and Otter Tail Power's customers. Great River Energy will provide an explanation of how MISO spreads wholesale electricity costs and a general estimate of rate impact of the Project on Minnesota customers as well as the general financial effects of the Project on Great River Energy's member cooperatives.
Minn. R. 7849.0280 (System Capacity)	Request full exemption from providing a discussion of the ability of the existing system to meet the forecasted demand for electrical energy identified in response to Minn. R. 7849.0270.
Minn. R. 7849.0290 (Conservation)	Request exemption from discussing conservation programs and their effect on the forecast information required by Minn. R. 7849.0270. The Applicants propose to provide substitute information on its conservation efforts from, as applicable, the

<sup>3</sup> See Minn. Stat. § 216B.243 Subd. 3(6).

Minnesota Rule	Scope of Exemption
	Applicants' most recent Conservation Improvement Plan and Integrated Resource Plan filings. The Applicants will also provide information regarding how conservation and energy efficiency was considered by MISO in its evaluation of the Project.
Minn. R. 7849.0300 (Consequences of Delay)	Request to be exempt from providing analysis using three confidence levels. The Applicants propose to provide substitute data regarding potential impacts caused by delay in implementing the Project.
Minn. R. 7849.0340 (No Facility Alternative)	Request to be exempt from providing analysis using three confidence levels. The Applicants propose to provide substitute data regarding potential impacts caused by no build alternatives.

Each of these requests is discussed in more detail below and summarized in **Attachment A**. This request is being made at least 45 days prior to submitting an application for a Certificate of Need as required by Minn. R. 7849.0200, subp. 6.

#### **IV. REQUESTED EXEMPTIONS**

##### **A. Minn. R. 7849.0260 A(3) and C(6) – Proposed LHVTL and Alternatives Application (Losses)**

Minn. R. 7849.0260 A(3) requires the applicant to provide the expected losses “under maximum loading and under projected average loading in the length of the transmission line and at the terminals or substations.” Minn. R. 7849.0260 C(6) requires similar information (efficiency of proposed system under maximum and average loading along the length of the line). The electrical grid operates as a single, integrated system, which prevents electricity from being “directed” along a particular line or set of lines. Consequently, heat loss takes place across the entire transmission system and is not isolated to a single transmission line within the integrated regional electric grid. Therefore, losses should be calculated across the entire system rather than based on a single transmission line.

The Applicants request an exemption from Minn. R. 7849.0260 A(3) and C(6) and propose to provide system losses information in lieu of line-specific losses required by

the rules. This approach is consistent with several prior exemption requests approved by the Commission in other Certificate of Need transmission line dockets.<sup>4</sup>

**B. Minn. R. 7849.0260 B(4) – Transmission Lines with Different Terminals or Substations**

Minnesota Rule 7849.0260(B)(4) requires a discussion of “transmission lines with different terminals or substations.” Likewise, section (B)(8) of that rule requires a discussion of “any reasonable combination of the alternatives” listed in, among others, section (B)(4). Minn. Stat. § 216B.243 Subd. 3(6), however, states that “the commission must not require evaluation of alternative end points for a high-voltage transmission line qualifying as a large energy facility unless the alternative end points are (i) consistent with end points identified in a federally registered planning authority transmission plan, or (ii) otherwise agreed to for further evaluation by the applicant.” No alternate end points were evaluated in the MISO transmission planning process, nor have the Applicant’s agreed to an evaluation of an alternative. Thus, the Applicants request an exemption consistent with Minn. Stat. § 216B.243 Subd. 3(6).

**C. Minn. R. 7849.0270, subps. 1-6 – Peak Demand and Annual Consumption Forecast and System Revenue Requirements**

**1. Rule 7849.0270, subp. 1 – Peak Demand and Annual Consumption Data**

Minn. R. 7849.0270, subp. 1 requires information concerning peak and demand and annual consumption for the Applicant’s entire service area and system. The Project is intended to support reliability of the transmission system in northern Minnesota as fossil-fueled generators are retired and replaced with more intermittent and renewable generation in the region. The Applicants will provide forecast information from their most recent AFRs filed on July 1, 2025 in Docket No. E-999/PR-25-11. The Commission has previously granted similar exemption requests for other transmission projects.<sup>5</sup>

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<sup>4</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis, Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021).

<sup>5</sup> See, e.g., *In re Application of Minnesota Power for a Certificate of Need for the HVDC Modernization Project*, Docket No. E015/CN-22-607, ORDER (Feb. 1, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014).



2. Rule 7849.0270, subps. 2(A) and 2(B) – Customer Annual Consumption Data

Minn. R. 7849.0270, subps. 2(A) and 2(B) require an applicant to estimate the number of customers and the amount of energy consumed annually by nine classes of customers (residential, commercial, industrial, farming, etc.). Energy consumption data is not relevant to establishing the need for a proposed Project. Transmission systems must be sized so that they have sufficient capacity to operate reliably during periods of peak demand. It is the demand for power during peak times that is the primary driver for the Project, not the amount of power consumed annually. Accordingly, it would be appropriate for the Commission to exempt the Applicants from providing this data and accept substitute data in the form of AFR and any other forecast information used in analyzing the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.<sup>6</sup>

3. Minn. R. 7849.0270, subps. 2(C) and 2(D) – System Demand and Peak Demand

Minn. R. 7849.0270, subp. 2(C) seeks an estimate of the demand for power in the system at the time of annual system peak demand. Minn. R. 7849.0270, subp. 2(D) calls for monthly system peak demand data. Evaluation of the need for the transmission capacity for the Project is based on various demand scenarios across a broad region of MISO. Rather than providing system peak demand data that provides little insight into the specific transmission needs underlying the Project, the Applicants propose to provide AFR forecast information and discussion of the different regional demand scenarios evaluated in the analysis used by the Applicants and MISO to justify the Project. The Commission has previously granted similar exemption requests for other transmission projects.<sup>7</sup>

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<sup>6</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV High Voltage Transmission Line in St. Louis and Carlton Counties*, Docket No. E015,ET2/CN-10-973, ORDER APPROVING EXEMPTIONS AND PROPOSED PROVISION OF ALTERNATIVE DATA (Nov. 2, 2010).

<sup>7</sup> *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV High Voltage Transmission Line in St. Louis and Carlton Counties*, Docket No. E015,ET2/CN-10-973, ORDER APPROVING EXEMPTIONS AND PROPOSED PROVISION OF ALTERNATIVE DATA (Nov. 2, 2010).

4. Minn. R. 7849.0270, subp. 2(E) – System Revenue Requirements

Minn. R. 7849.0270, subp. 2(E) requires an estimate of the “annual revenue requirement per kilowatt-hour for the system in current dollars.” Minnesota Power and Otter Tail proposes to provide the general rate impact of the Maple River – Cuyuna Project on Minnesota Power’s and Otter Tail’s customers. Great River proposes to provide an explanation of how wholesale electricity costs are spread among users of the transmission grid and the general financial effects of the Project on Great River Energy’s member cooperatives. The Commission has previously granted similar exemption requests for other transmission projects.<sup>8</sup>

5. Minn. R. 7849.0270, subp. 2(F) – Weekday Load Factor

Minn. R. 7849.0270, subp. 2(F) requires an applicant’s average system weekday load factor for each month. The Applicants request an exemption from this requirement because load factor is not a relevant consideration when evaluating the need for a transmission facility. Load factor is a measure of how demand varies over time and is relevant to the need determination for new generation. Moreover, transmission capacity must be designed to meet peak demand and other system power flow circumstances. This is done to ensure there is sufficient transmission capacity to meet lower levels of instantaneous demand. Thus, the Applicants respectfully request an exemption from this requirement which the Commission has granted in the past for other transmission projects.<sup>9</sup>

6. Minn. R. 7849.0270, subps. 3-6 – Forecast Methodology, Data Base, Assumptions, and Coordination of Forecasts

Minn. R. 7849.0270, subps. 3-6 require the applicant to detail the forecast methodology employed, identify the database used for the forecast, detail the assumptions made in

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<sup>8</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV High Voltage Transmission Line in St. Louis and Carlton Counties*, Docket No. E015,ET2/CN-10-973, ORDER APPROVING EXEMPTION AND PROPOSED PROVISION OF ALTERNATIVE DATA (Nov. 2, 2010).

<sup>9</sup> *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re request of Minnesota Power for a Certificate of Need for the Great Northern Transmission Line*, Docket No. E-015/CN-12-1163, ORDER APPROVING NOTICE PLAN, GRANTING VARIANCE REQUEST, AND APPROVING EXEMPTION REQUEST (Feb. 28, 2013); *In the Matter of the Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV High Voltage Transmission Line in St. Louis and Carlton Counties*, Docket No. ET2,E-015/CN-10-973, ORDER APPROVING EXEMPTION REQUESTS (Nov. 2, 2010).

preparing the forecasts provided under subpart 2 of the same rule, and a description of load forecasts coordination efforts with other systems. As stated above, the need for transmission facilities is not prompted by energy consumption, but rather, by demand during peak times. Thus, instead of providing energy consumption forecasts, The Applicants believe that forecast information and discussion of the different regional demand scenarios evaluated in the analysis used by the Applicants and MISO to justify the Project will better enable the Commission to evaluate the need for this Project. The Applicants will provide their most recent AFRs. The AFRs discuss forecast methodology, databases, forecasts assumptions, and coordination of forecasts with other systems. The Applicants respectfully request an exemption from this requirement which the Commission has granted in the past for transmission projects.<sup>10</sup>

In sum, the Applicants request an exemption from the data requirements of Minn. R. 7849.0270, subps. 1-6 and will provide relevant AFR forecast information and any other forecast information used in analyzing the need for the Project. This substitute information is better tailored to the need for the Maple River – Cuyuna 345 kV Transmission Project and will assist the Commission in evaluating the Project.

#### **D. Minn. R. 7849.0280 – System Capacity**

Minn. R. 7849.0280 pertains to system capacity and generation data. The general purpose of this section is to provide a discussion of the ability of the existing system to meet the forecasted demand for electrical energy in response to Minn. R. 7849.0270. Subparts (B) through (I) pertain to an examination of generation adequacy and do not address transmission planning considerations. The Applicants therefore request that the Commission grant an exemption from Minn. R. 7849.0280, subps. (B) through (I) and an exemption with alternative data from the Applicants' AFRs provided for Minn. R. 7849.0280, subp. (A). The Commission has previously granted exemption requests from Minn. R. 7849.0280 in several other transmission line Certificate of Need dockets where issues of transmission adequacy, rather than generation adequacy, were at issue.<sup>11</sup>

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<sup>10</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014).

<sup>11</sup> See, e.g., *In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Application of*

## **E. Minn. R. 7849.0290 – Conservation**

The Applicants request an exemption for Minn. R. 7849.0290, which relates to conservation programs the applicant has in place and their effect on the forecast information called for in Minn. R. 7849.0270. This rule is intended to ensure that regulated load serving utilities fully consider conservation as well as generation when planning for future needs of their customers.<sup>12</sup> The Applicants' conservation and efficiency information is examined in detail in the resource planning process. All of the information requested by Minn. R. 7849.0290 is contained, as applicable, in Integrated Resource Plan and Conservation Improvement Plan ("CIP") filings<sup>13</sup> filed by Minnesota Power,<sup>14</sup> Great River Energy,<sup>15</sup> and Otter Tail Power.<sup>16</sup> Instead of replicating that information in this application, The Applicants proposed to present a summary of these filings. This will allow interested parties to pursue their investigation into this issue further through those materials if they wish. The Applicants will also provide information regarding how conservation and energy efficiency was considered by MISO in its evaluation of the Project. This request is consistent with prior exemptions the Commission has granted in other dockets.<sup>17</sup>

## **F. Minn. R. 7849.0300 – Consequences of Delay and Minn. R. 7849.0340 – No Facility Alternative**

Minn. R. 7849.0300 requires detailed information regarding the consequences of delay on three specific statistically-based levels of demand and energy consumption. Similarly,

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*Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV High Voltage Transmission Line in St. Louis and Carlton Counties*, Docket No. E015,ET2/CN-10-973, ORDER APPROVING EXEMPTIONS AND PROPOSED PROVISION OF ALTERNATIVE DATA (Nov. 2, 2010).

<sup>12</sup> *In re Application of Rapids Power LLC for a Certificate of Need for its Grand Rapids Cogeneration Project*, Docket No. IP-4/CN-01-1306, ORDER GRANTING EXEMPTIONS FROM FILING REQUIREMENTS at 6 (Oct. 9, 2001).

<sup>13</sup> The information provided to satisfy this requirement will be taken from each applicant utility's most-recently filed energy conservation and optimization ("ECO") plan or CIP in its most recent CIP docket on file with the Commission.

<sup>14</sup> *In the Matter of Minnesota Power's 2025-2039 Integrated Resource Plan*, Docket No. E015/RP-25-127, INITIAL FILING (March 3, 2025); *Minnesota Power's 2024–2026 Triennial Energy Conservation and Optimization Program Filing*, Docket No. E015/CIP-23-93, INITIAL FILING (June 30, 2023).

<sup>15</sup> *In the Matter of Great River Energy's 2023-2037 Integrated Resource Plan*, Docket No. ET2/RP-22-75, INITIAL FILING, including Appendix D thereto (2020 CIP Approval Letter and 2022 CIP Plan) (March, 31, 2023); *see also Electric Conservation Improvement Program (CIP) 2020 Results and 2022 Plans* Docket No. E,G999/CIP-21-24, DOC APPROVAL OF 2022 PLANS (June 23, 2022).

<sup>16</sup> *In the Matter of Otter Tail Power Company's Submittal of its 2022–2036 Integrated Resource Plan*, Docket No. E017/RP-21-339, INITIAL FILING (September 1, 2021); *In the Matter of Otter Tail Power Company's 2024-2026 Energy Conservation and Optimization Triennial Program*, Docket No. E017/CIP-23-94 INITIAL FILING (June 30, 2023).

<sup>17</sup> *See, e.g., In the Matter of the Application of Minnesota Power and Great River Energy for a Certificate of Need for the Northland Reliability Project 345 kV Transmission Line*, Docket No. E015, ET2/CN-22-416, ORDER APPROVING THE REQUESTED EXEMPTIONS AND THE NOTICE PLAN (June 21, 2023); *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menagha Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-15-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014).

Minn. R. 7849.0340 requires a discussion of the impact on existing generation and transmission facilities at the three levels of demand specified in Minn. R. 7849.0300 for the no-build alternatives. While the Applicants will discuss the consequences of delay and a no build alternative in its application, there is no need to discuss these items in terms of three levels of demand. Rather, as noted above, for evaluating the need for the Project, the relevant inquiry is whether the system can meet peak demand and other system power flow circumstances. The Commission has approved similar partial exemption requests from the requirements of Minn. R. 7849.0300 and 7849.0340 in other transmission line Certificate of Need dockets.<sup>18</sup>

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<sup>18</sup> See, e.g., *In re Application of Minnesota Power for a Certificate of Need for the Duluth Loop Reliability Project in St. Louis Cnty.*, Docket No. E015/CN-21-140, ORDER APPROVING NOTICE PLAN AND GRANTING VARIANCES AND EXEMPTIONS (May 17, 2021); *In re Application of Great River Energy and Minnesota Power for a Certificate of Need for the Menahga Area 115 kV Transmission Line Project in Hubbard, Wadena and Becker Counties, Minnesota*, Docket No. E015/CN-14-787, ORDER APPROVING EXEMPTION REQUEST (Dec. 3, 2014); *In re Request of Minnesota Power for a Certificate of Need for the Great Northern Transmission Line*, Docket No. E015/CN-12-1163, ORDER APPROVING NOTICE PLAN, GRANTING VARIANCE REQUESTION AND APPROVING EXEMPTION REQUEST (Feb. 28, 2013); *In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy and Great River Energy for a Certificate of Need for the Upgrade of the Southwest Twin Cities (SWTC) Chaska Area 69 kV Transmission Line to 115 kV Capacity* Docket No. E002/CN-11-826, ORDER GRANTING THE COMPANY'S EXEMPTION REQUEST (Nov. 4, 2011).

## **V. CONCLUSION**

The Applicants respectfully request that the Commission grant the requested exemptions to allow the Applicants to provide information that is relevant and appropriate to determining the need for the Maple River – Cuyuna 345 kV Transmission Project without imposing unnecessary filing burdens.

August 27, 2025

Respectfully submitted,

**TAFT, STETTINIUS & HOLLISTER LLP**

/s/ Kodi J. Verhalen

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ATTORNEYS FOR MINNESOTA POWER,  
GREAT RIVER ENERGY, AND OTTER TAIL  
POWER COMPANY

**Maple River – Cuyuna 345 kV Transmission Project**

**Certificate of Need Application**

**Completeness Checklist**

**ATTACHMENT A**

Authority	Required Information	Location in Application
Minn. R. 7829.2500, subp. 2	Brief summary of filing on separate page sufficient to apprise potentially interested parties of its nature and general content	
Minn. R. 7849.0200, subp. 2	Title Page and Table of Contents	
Minn. R. 7849.0200, subp. 4	Cover Letter	
Minn. R. 7849.0220, subp. 3	Joint Ownership and Multiparty use	N/A
Minn. R. 7849.0240	Need summary and additional considerations	
Subp. 1	Summary of the major factors that justify the need for the proposed facility	
Subp. 2	Relationship of the proposed facility to the following socioeconomic considerations:	—
A.	Socially beneficial uses of the output of the facility	
B.	Promotional activities that may have given rise to the demand for the facility	
C.	Effects of the facility in inducing future development	
Minn. R. 7849.0260	Proposed LHVTL and Alternatives	—
A.	A description of the type and general location of the proposed line, including:	—
(1)	Design voltage	
(2)	Number, sizes and types of conductors	



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Authority	Required Information	Location in Application
(3)	Expected losses under projected maximum loading and under projected average loading in the length of the line and at terminals or substations	EXEMPT provided alternative data is supplied
	<b>ALTERNATIVE DATA</b> – Estimated overall system losses	
(4)	Approximate length of the proposed line	
(5)	Approximate locations of DC terminals or AC substations on a map	
(6)	List of likely affected counties	
B.	Discussion of the available alternatives including:	
(1)	New generation	
(2)	Upgrading existing transmission lines	
(3)	Transmission lines with different voltages or conductor arrays	
(4)	Transmission lines with different terminals or substations	EXEMPT per Minnesota Statute
(5)	Double circuiting of existing transmission lines	
(6)	If facility for DC (AC) transmission, an AC (DC) transmission line	
(7)	If proposed facility is for overhead (underground) transmission, an underground (overhead) transmission line	
(8)	Any reasonable combination of alternatives (1) – (7)	EXEMPT as to different terminals or substations per Minnesota Statute
C.	For the facility and each for alternative in B, a discussion of:	–

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Authority	Required Information	Location in Application
(1)	Total cost in current dollars	
(2)	Service life	
(3)	Estimated average annual availability	
(4)	Estimated annual O&M costs in current dollars	
(5)	Estimate of its effect on rates system wide in Minnesota	
(6)	Efficiency expressed for a transmission facility as the estimated losses under projected maximum loading and under projected average loading in the length of the transmission line and at the terminals or substations	EXEMPT provided alternative data is supplied
(7)	Major assumptions made in subitems (1) – (6)	
D.	A map (of appropriate scale) showing the applicant's system or load center to be served by the proposed LHVTL	
E.	Such other information about the proposed facility and each alternative as may be relevant to determination of need.	

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Authority	Required Information	Location in Application
Minn. R. 7849.0270	Content of Forecast	—
Minn. R. 7849.0270, subp. 1	Peak demand and annual consumption data within the applicant's service area and system.	EXEMPT provided alternative data is supplied
	<b>ALTERNATIVE DATA</b> – Applicants' most recent Annual Electric Utility Forecast Report and any forecast information used in analyzing the need for the Project.	
Minn. R. 7849.0270, subp. 2	Minnesota forecast data; forecast demand data by customer class, peak period, and month; estimated system annual revenue per kilowatt hour; estimated average weekday system load factor by month.	EXEMPT except as noted below and provided alternative data is supplied
	<b>ALTERNATIVE DATA</b> – Applicants' most recent Annual Electric Utility Forecast Report and any forecast information used in analyzing the need for the Project.	
	Subp. 2(E) – Alternative explanation of how MISO spreads wholesale electricity costs and general financial impact on Minnesota customers.	
Minn. R. 7849.0270, subp. 3	Detail of the forecast methodology used in subp. 2	EXEMPT provided alternative data is supplied
Minn. R. 7849.2070, subp. 4	Discussion of database used in current forecasting.	EXEMPT provided alternative data is supplied
Minn. R. 7849.0270, subp. 5	Discussion of each essential assumption made in forecast preparation and sensitivity to variations in assumptions.	EXEMPT provided alternative data is supplied
Minn. R. 7849.0270, subp. 6	Coordination of forecasts.	EXEMPT provided alternative data is supplied

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Authority	Required Information	Location in Application
	<b>ALTERNATIVE DATA FOR SUBPS. 3-6</b> – Applicants’ most recent Annual Electric Utility Forecast Report and any forecast information used in analyzing the need for the Project.	
Minn. R. 7849.0280	System Capacity	–
	Description of ability of existing system to meet demand forecast including:	–
A.	Power planning programs	EXEMPT provided alternative data is supplied
B.	Seasonal firm purchases and sales	EXEMPT
C.	Seasonal participation purchases and sales	EXEMPT
D.	Load and generation capacity data request in subitems 1-13 for summer and winter seasons for each forecast year, including anticipated purchases, sales, and capacity retirements and additions except those that depend on a not yet issued certificate of need.	EXEMPT
E.	Summer and winter season load generation and capacity in years subsequent to application contingent on proposed facility	EXEMPT
F.	Summer and winter season load generation and capacity including all projected purchases, sales and generation in years subsequent to application	EXEMPT
G.	List of proposed additions and retirements in generating capacity for each forecast year subsequent to application	EXEMPT

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Authority	Required Information	Location in Application
H.	Graph of monthly adjusted net demand and capability with difference between capability and maintenance outages plotted	EXEMPT
I.	Appropriateness and method of determining system reserve margins	EXEMPT
Minn. R. 7849.0290	Conservation Programs	—
A.	Persons responsible for energy conservation and efficiency programs	EXEMPT provided alternative data is supplied
B.	List of energy conservation and efficiency goals and objectives	EXEMPT provided alternative data is supplied
C.	Description of programs considered, implemented and rejected	EXEMPT provided alternative data is supplied
D.	Description of major accomplishments in conservation and efficiency	EXEMPT provided alternative data is supplied
E.	Description of future plans with respect to conservation and efficiency	EXEMPT provided alternative data is supplied
F.	Quantification of the manner by which these programs impact the forecast	EXEMPT provided alternative data is supplied
	<b>ALTERNATIVE DATA FOR A-F –</b> Applicants will provide a summary of each utility’s most recent Integrated Resource Plan and Conservation Improvement Program filings. The Applicants will also provide information regarding how conservation and energy efficiency was considered by MISO in its evaluation of the Project.	

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Authority	Required Information	Location in Application
Minn. R. 7849.0300	Consequence of Delay	EXEMPT from three levels of demand
Minn. R. 7849.0310	Required Environmental Information	
Minn. R. 7849.0330	Transmission Facilities	—
	Data for each alternative that would require LHVTL construction including:	—
A.	For overhead transmission lines	—
(1)	Schematics showing dimensions of support structures	
(2)	Discussion of electric fields	
(3)	Discussion of ozone and nitrogen oxide emissions	
(4)	Discussion of radio and television interference	
(5)	Discussion of audible noise	
B.	For underground transmission facilities:	N/A
(1)	Types and dimensions of cable systems	N/A
(2)	Types and qualities of cable system materials	N/A
(3)	Heat released in kW per foot of cable	N/A
C.	Estimated right-of-way required for the facility	
D.	Description of construction practices	
E.	Description of O&M practices	

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Authority	Required Information	Location in Application
F.	Estimated workforce required for construction and O&M	
G.	Description of region between endpoints in likely area for routes emphasizing a three mile radius of endpoints including:	—
(1)	Hydrological features	
(2)	Vegetation and wildfire	
(3)	Physiographic regions	
(4)	Land use types	
Minn. R. 7849.0340	No-Facility Alternative	EXEMPT from three levels of demand