

**STATE OF MINNESOTA
BEFORE THE
PUBLIC UTILITIES COMMISSION**

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

Chair
Commissioner
Commissioner
Commissioner
Commissioner

**In the Matter of the Application for a
Certificate of Need for the Big Stone South
to Brookings to Lakefield Junction 765 kV
High Voltage Transmission Line Project
(LRTP 22)**

Docket No. E002, ET6675/CN-25-117

**In the Matter of the Application for a
Certificate of Need for the Lakefield
Junction to East Adair, Iowa 765 kV High
Voltage Transmission Line Project
(LRTP 23)**

Docket No. ET6675/CN-25-118

**In the Matter of the Application for a
Certificate of Need for the Lakefield
Junction to Pleasant Valley to North
Rochester 765 kV High Voltage
Transmission Line Project (LRTP 24)**

Docket No. E002, ET2, ET6675/CN-25-119

**In the Matter of the Application for a
Certificate of Need for the Pleasant Valley
- North Rochester - Hampton Corner
Second Circuit 345 kV High Voltage
Transmission Line Project (LRTP 25)**

Docket No. E002, ET3, ET9, E299/CN-25-120

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

I. INTRODUCTION

Great River Energy, ITC Midwest LLC (ITC Midwest), and Northern States Power Company, doing business as Xcel Energy (together, Applicants), respectfully submit this request for exemptions from certain content requirements for a Certificate of Need application pursuant to Minn. R. 7849.0200, subp. 6.

The PowerOn Midwest Project is part of the Midcontinent Independent System Operator, Inc.'s (MISO) Long Range Transmission Planning (LRTP) Tranche 2.1 and is needed to maintain system reliability amid fundamental changes in demand for electricity and the type and amount of generation interconnected to the grid within the MISO footprint. As depicted on **Attachment A**, in Minnesota, the PowerOn Midwest Project (Project) is proposed to include:

- A single-circuit 765 kilovolt (kV) high voltage transmission line between the following points:
 - The South Dakota/Minnesota border and the Lakefield Junction Substation in Jackson County, Minnesota (LRTP 22);
 - The Lakefield Junction Substation and the Minnesota/Iowa border (LRTP 23);
 - The Lakefield Junction Substation and the Pleasant Valley Substation in Mower County, Minnesota (LRTP 24); and
 - The Pleasant Valley Substation and the North Rochester Substation in Goodhue County, Minnesota (LRTP 24).
- A new 345 kV transmission circuit from the Pleasant Valley Substation to the North Rochester Substation. The existing 345 kV single-circuit structures are proposed to be removed and replaced with new double-circuit capable 345 kV structures (LRTP 25).
- A new, second 345 kV transmission circuit between the North Rochester Substation to the Hampton Substation to be strung on existing double-circuit capable 345 kV structures (LRTP 25).
- Expansions of the following existing substations:
 - Lakefield Junction Substation in Jackson County;
 - Pleasant Valley Substation in Mower County;
 - North Rochester Substation in Goodhue County; and
 - Hampton Substation in Dakota County.

Applicants intend to apply for a Certificate of Need for the Project pursuant to Minn. Stat. § 216B.243 in February 2026. Applicants believe that certain limited Certificate of Need application content requirements of Minn. R. Ch. 7849 should be modified to better address the nature of the Applicants, the Project, and the need for the Project. The Minnesota Public Utilities Commission (Commission) has accepted similar adjustments for other projects in prior dockets. Applicants therefore respectfully request that the Commission grant exemptions from certain requirements as provided under Minn. R. 7849.0200, subp. 6. In lieu of some content requirements,

Applicants propose to submit alternative information that will better inform the Commission’s decision regarding the need for the Project.

II. BACKGROUND

The Project was studied, reviewed, and approved as part of the LRTP Tranche 2.1 Portfolio by MISO in July 2024 in its annual MISO Transmission Expansion Plan 2024 (MTEP24) report. MISO, an independent, not-for-profit entity, is a federally registered regional planning authority and regional transmission organization, responsible for planning and operating the transmission system and energy market in parts of 15 U.S. states, including Minnesota, and Manitoba, Canada. MISO has a responsibility, established by the Federal Energy Regulatory Commission, to identify needed transmission and mandate transmission owners to develop necessary transmission projects to address reliability issues.

In 2024, MISO approved LRTP Tranche 2.1, which establishes a new 765 kV “backbone” across the Midwest. Tranche 2.1 includes 24 projects totaling approximately 3,600 miles of new and upgraded transmission in MISO’s Midwest subregion. The Project includes the Minnesota portions of LRTP 22 and 23, as well as LRTP 24 and 25. The Project and Tranche 2.1 will create a “super-network” of backbone connections throughout Minnesota that will ultimately be interconnected with an existing 2,000-mile 765 kV network from Illinois to Virginia. This super-network will make Minnesota’s connection to the broader Midwest and eastern United States more robust and resilient, enabling Minnesota and the region to meet electrical demand in a more reliable and cost-effective manner.

More specifically, the Project is needed to continue to serve customer demand every minute of every day and to ensure a strong foundation that supports the resiliency of the grid, particularly in light of retiring baseload generation. Applicants and MISO have identified that upwards of 10,000 megawatts (MW) of additional electrical transmission capacity is needed for Minnesota, and the Project is needed to maintain system reliability in the least impactful and most cost-effective manner as Minnesota’s sources for electricity change and demand for electricity increases. The Project’s support for system reliability is multi-fold:

- Energy adequacy: The Project mitigates projected reliability overloads of the existing transmission grid to meet national electric standards to continue to reliably serve customer and member electricity demands every hour of every day.
- Efficiency in meeting reliability needs: The Project allows Minnesota to meet growing electrical needs in a more reliable and cost-effective manner.
- Serving current and future electrical demands: Needed to serve today’s forecasted demands for electricity, the Project leaves space to reliably serve future increases in residential, commercial, and/or industrial energy demands.

- Reliably enabling state policy: The Project enables existing fossil-fuel generation to retire and be replaced with carbon-free generation in a reliable manner.

To meet these needs, MISO has designated 2032 (345 kV) and 2034 (765 kV) as in-service dates for the Project. Applicants will submit separate route permit applications for the LRTP projects as early as late 2026 and anticipate starting construction in the 2029–30 timeframe. Applicants will own portions of the Project jointly or discretely, as shown in Table 1 and Table 2. Great River Energy will own substation improvements at Pleasant Valley. ITC Midwest will own substation improvements at Lakefield Junction. Xcel Energy will own substation improvements at North Rochester and Hampton.

Table 1. Ownership of 765 kV Facilities

| | SD/MN Border to Lakefield | Lakefield to MN/IA Border | Lakefield to Pleasant Valley | Pleasant Valley to North Rochester |
|--------------------|--|----------------------------------|-------------------------------------|---|
| Owner | Applicable Project Development Percentage | | | |
| Great River Energy | 0 | 0 | 50 | 50 |
| Xcel Energy | 50 | 0 | 0 | 50 |
| ITC Midwest | 50 | 100 | 50 | 0 |

Table 2. Ownership of 345 kV Facilities

| | Pleasant Valley to North Rochester | North Rochester to Hampton |
|---|--|-----------------------------------|
| Owner | Applicable Project Development Percentage | |
| Xcel Energy | 100 | 64 |
| Dairyland Power Cooperative | 0 | 11 |
| Rochester Public Utilities | 0 | 9 |
| Southern Minnesota Municipal Power Agency | 0 | 13 |
| Wisconsin Public Power | 0 | 3 |

III. LEGAL STANDARD & SUMMARY OF EXEMPTIONS REQUESTED

The content requirements for a Certificate of Need application for a large high-voltage transmission line are specified in Minn. R. 7849.0200, subp. 2, Minn. R. 7849.0240, and Minn. R. 7849.0260–.0340. Pursuant to Minn. R. 7849.0200, subp. 6, the Commission has authority to grant exemptions from the requirements for Minn. R. Ch. 7849:

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 specific rules, in writing to the commission, and (2) shows that the data requirement is unnecessary to determine the need for the proposed facilities or may be satisfied by 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.¹ Applicants request that the Commission grant exemptions from the following rules because they are either unnecessary to determine the need for the Project or can be satisfied by submitting alternative data:

| Rule | Scope of Exemption | Applicant(s) |
|---|--|---------------------|
| Minn. R. 7849.0230 (Environmental Report) | Request exemption to provide environmental information required under Minn. R. 7849.0230. | All |
| Minn. R. 7849.0260(A)(3) and (C)(6) (Losses) | Request an exemption from providing Project-specific loss information. Applicants propose to provide substitute data in the form of overall system losses. | All |
| Minn. R. 7849.0260(B)(4) and (8) (Transmission Lines with Different Terminals or Substations) | Consistent with Minn. Stat. § 216B.243, subd. 3, ² the Application will not include analysis of transmission lines with end points different than those identified by MISO. | All |
| Minn. R. 7849.0260(C)(5) (Effect of Project) | Request an exemption from providing estimate of effect on rates systemwide and in Minnesota. Applicants instead propose to provide estimated Project costs and information regarding how the costs for LRTP projects | All |

¹ Minn. R. 7849.0200, subp. 6.

² The statute provides 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. . . .”

| Rule | Scope of Exemption | Applicant(s) |
|---|--|--|
| on Rates Systemwide) | are shared within the MISO footprint. Xcel Energy will also provide an annual revenue requirement impact for the capital costs of the Project for a 20-year period. | |
| Minn. R. 7849.0260(D) (System Map) | Applicants propose instead to provide a map depicting high voltage transmission lines within the proposed Notice Area. | All |
| Minn. R. 7849.0270, subps. 1-5 (Peak Demand and Annual Consumption Forecast; System Revenue Requirements) | <p>Request exemption from providing forecasting and capacity information for Applicants' systems and to instead provide forecast information from Great River Energy's and Xcel Energy's most recent Electric Utility Annual Report (Annual Report) and forecast information used in analyzing the need for the Project. The Applicants will also provide information regarding impacts of congestion.</p> <p>Applicants also seek an exemption from providing annual revenue requirements and systemwide rates for the Project and propose to provide alternative data. Great River Energy will 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. Xcel Energy will provide an annual revenue requirement impact for the capital costs of the Project for a 20-year period. Applicants will also provide information regarding the expected Project cost, MISO's cost allocation methodology, and the share that will be allocated to Minnesota utilities' load.</p> | All |
| Minn. R. 7849.0280(B) – (I) (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. | All |
| Minn. R. 7849.0290 (Conservation Programs) | Request exemption from discussing conservation programs and their effect on the forecast information required by Minn. R. 7849.0270. Great River Energy and Xcel Energy propose to provide substitute information on their conservation efforts from their most recent Energy Conservation and Optimization and Integrated Resource Plan filings. ITC Midwest requests a full exemption. Applicants will also provide information regarding how conservation and energy efficiency was considered by the Applicants in evaluating the Project. | Great River Energy & Xcel Energy (partial); ITC Midwest (full) |
| Minn. R. 7849.0300 | Request to be exempt from providing analysis using three confidence levels. Applicants propose to provide | All |

| Rule | Scope of Exemption | Applicant(s) |
|---|--|---------------------|
| (Consequences of Delay); Minn. R. 7849.0340 (No Facility Alternative) | substitute data regarding potential impacts caused by delay in implementing the Project and no build alternative. | |
| Minn. R. 7849.0330(G) (Description of Major Features of the Region between Endpoints) | The Applicants propose to describe the major features within the Notice Area, as proposed in Applicants' Notice Plan Petition. | All |

IV. EXEMPTIONS REQUESTED

A. Minnesota Rule 7849.0230: Environmental Report

Minnesota Rule 7849.0230, subp. 1, requires that certain information included in a Certificate of Need application be designated as a “draft environmental report.” The remaining subparts of that rule set forth a process for an applicant-prepared environmental report.³ This rule pre-dates the environmental review rules elsewhere in Chapter 7849.⁴ Those rules, not Minn. R. 7849.0230, now govern environmental review for a transmission line Certificate of Need proceeding.⁵ Accordingly, Applicants respectfully request an exemption from Minn. R. 7849.0230. Applicants will instead comply with the environmental review process set forth in Minn. R. 7849.1000–.2100.⁶

B. Minnesota Rule 7849.0260(A)(3) and (C)(6): Losses

Minnesota Rule 7849.0260(A)(3) requires the applicant to provide the expected losses “under projected maximum loading and under projected average loading in the length of the transmission line and at the terminals or substations.” Similarly, Minn. R. 7849.0260(C)(6) requires information concerning the efficiency of the proposed system under maximum and average loading along the length of the line. The electrical system 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 few transmission lines within the integrated regional electric grid. It is necessary, therefore, to

³ Minn. R. 7849.0230, subps. 2–5.

⁴ Minn. R. 7849.1000, *et seq.*

⁵ Minn. R. 4410.4300, subp. 6.

⁶ See, e.g., *In the Matter of the Application of Great River Energy, Northern States Power Company (d/b/a Xcel Energy) and Others for Certificates of Need for the CapX 345-kV Transmission Projects*, Order Accepting Application as Substantially Complete Pending Supplemental Filing, Docket No. CN-06-1115 (Nov. 21, 2007) (“Because these new rules supplant the old ones, the Commission will vary the application of Minnesota Rules part 7849.0230, subpart 1, to this docket. . .”).

calculate losses across the system affected by the addition of new transmission lines, rather than the losses attributable to the transmission addition itself.

Applicants request an exemption from Rule 7849.0260(A)(3) and (C)(6) and propose to supply system losses information in lieu of line-specific losses required by the rules. Applicants' proposal is consistent with the approach previously approved by the Commission in several other Certificate of Need transmission line dockets.⁷

C. Minnesota Rule 7849.0260(B)(4) and (8): 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). However, Minn. Stat. § 216B.243, subd. 3(6), provides 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. . . .

Consistent with this statute, the Application will not include analysis of transmission lines with end points different than those identified by MISO in MTEP24.

D. Minnesota Rule 7849.0260(C)(5): Effect of Project on Rates Systemwide

Minnesota Rule 7849.0260(C)(5) requires an applicant to estimate its proposed project's "effect on rates systemwide and in Minnesota, assuming a test year beginning with the proposed in-service date." Great River Energy and ITC Midwest request an exemption from this requirement

⁷ *In the Matter of Application of Xcel Energy for a Certificate of Need for Two Gen-Tie Lines from Sherburne County to Lyon County, Minnesota*, Docket No. E-002/CN-22-131, Order Granting Applicant's Exemption Request (June 28, 2022); *In The Matter of The Application Of Northern States Power Company D/B/A Xcel Energy For A Certificate Of Need For The Upgrade Of The Southwest Twin Cities Bluff Creek – Westgate Area 69 kV Transmission Line To 115 Kv Capacity*, Docket No. E002/CN-11-332, Order Granting Applicant's Exemption Request (Nov. 16, 2011); *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); *In The Matter of the Application Of Northern States Power for Certificates of Need for Two 161 Kv Transmission Lines in the Greater Rochester Area*, Docket No. E002/CN-08-992, Order Approving Exemption Request as Modified (Dec. 16, 2008); *In the Matter of the Application of Great River Energy, Northern States Power Company (D/B/A Xcel Energy) and Others for A Certificate of Need for the CapX 345 kV Transmission Project*, Docket No. E002/CN-06-1115, Order (June 4, 2007); *In the Matter of the Application of Great River Energy and Minnesota Power for a Certificate of Need for a 115 kV*, Docket No. E002/CN-10-973, Order Approving Exemptions and Proposed Provision of Alternative Data (November 2, 2010); *In the Matter of the Application of Xcel Energy and ITC Midwest LLC for a Certificate of Need for the Huntley-Wilmarth 345-kV Transmission Line Project*, Docket No. E-002/CN-17-184, Order Approving the Petition for Exemptions from Certain Filing Requirements for the Certificate Of Need Application (Sept. 1, 2017).

because they do not serve retail customers. Because the Project's costs will be allocated across the MISO footprint, Applicants instead propose to provide information regarding the expected Project cost, MISO's cost allocation methodology, and the share that will be allocated to Minnesota utilities' load. Xcel Energy will provide an annual revenue requirement impact for the capital costs of the Project for a 20-year period. This data will provide the Commission with the necessary information on the costs of the Project and how the costs will be allocated to Minnesota. This is similar to information provided in other recent Certificate of Need proceedings.⁸

E. Minnesota Rule 7849.0260(D): System Map

Minnesota Rule 7849.0260(D) calls for a map showing the applicant's system or load center to be served by the proposed transmission lines. As a transmission company, ITC Midwest does not directly serve load. Applicants propose instead to provide a map depicting high voltage transmission lines within the proposed Notice Area.

F. Minnesota Rule 7849.0270, subps. 1-5: Peak Demand and Annual Consumption Forecast, System Revenue Requirements

1. Subpart 1: Peak Demand and Annual Consumption Data

Minnesota Rule 7849.0270, subp. 1 requires information concerning peak demand and annual consumption for the applicant's entire service area and system. Because the Project is intended to support a broad geographic region in MISO, Applicants propose to provide substitute data in the form of systemwide forecast information included in Great River Energy's and Xcel Energy's most recent Annual Reports filed in Summer 2025 in Docket No. E999/PR-25-11. ITC Midwest does not submit such filings pursuant to Minn. R. 7610.0300. As substitute information, the Applicants will also provide forecast information used by the Applicants and/or MISO in analyzing the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.⁹

2. Subparts 2(A) and (B): Customer Annual Consumption Data

Minnesota Rule 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 transmission line. Transmission systems must be sized so that they have sufficient capacity to operate reliably during periods of peak demand. It is the demand

⁸ *In the Matter of the Application for a Certificate of Need for the Big Stone South – Alexandria – Big Oaks Transmission Project*, Docket No. E-017, ET-2, E-002, ET-10, E-015/CN-22-538, CERTIFICATE OF NEED APPLICATION at 31 (Sept. 29, 2023).

⁹ *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 HVDC Modernization Project*, Docket No. E015/CN-22-607, Order Approving Requested Exemptions (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 the Requested Exemptions and the Notice Plan (May 17, 2021).

for power during peak times that is the primary driver for the Project, not the amount of power consumed annually. Accordingly, consistent with Applicants' request with respect to subpart 1, above, it would be appropriate for the Commission to exempt Applicants from providing this data and accept substitute data from the applicable Annual Reports from Great River Energy and Xcel Energy and other forecast information used in analyzing the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.¹⁰

3. *Subparts 2(C) and (D): System Demand and Peak Demand*

Minnesota Rule 7849.0270, subp. 2(C), seeks an estimate of the demand for power in the system at the time of annual system peak demand. Similarly, 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. Thus, Applicants propose to instead provide Annual Report forecast information (as discussed with respect to subpart 1) 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.¹¹

4. *Subpart 2(E): System Revenue Requirements*

Minnesota Rule 7849.0270, subp. 2(E), requires an estimate of the "annual revenue requirement per kilowatt-hour for the system in current dollars." Great River Energy 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. Xcel Energy proposes to provide an annual revenue requirement impact for the capital costs of the Project for a 20-year period. Applicants further propose to provide information regarding the expected Project cost, MISO's cost allocation methodology, and the share that will be allocated to Minnesota utilities' load. ITC Midwest otherwise requests a full exemption. Applicants submit that the alternative data will better inform the record regarding the need for and cost of the Project and the LRTP Tranche 2.1 portfolio. The Commission has previously granted similar exemption requests for other transmission projects.¹²

¹⁰ 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 the Requested Exemptions and the Notice Plan (May 17, 2021).

¹¹ *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).

¹² 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).

5. *Subpart 2(F): Weekday Load Factor*

Minnesota Rule 7849.0270, subp. 2(F), requires an applicant's average system weekday load factor for each month. 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 ensures there is sufficient transmission capacity to meet lower levels of instantaneous demand. Thus, Applicants respectfully request an exemption from this requirement. The Commission has previously granted similar exemption requests for other transmission projects.¹³

6. *Subparts 3-5: Forecast Methodology, Data Base, and Assumptions*

Minnesota Rule 7849.0270, subps. 3-5, require the applicant to detail the forecast methodology employed, identify the database used for the forecast, and detail the assumptions made in preparing the forecasts provided under subpart 2 of the same rule. Instead of providing energy consumption forecasts, 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. Great River Energy and Xcel Energy will provide applicable data from their Annual Reports, as described above. The Annual Reports discuss forecast methodology, databases, and forecast assumptions. The Applicants will also provide any other forecast methodology used by MISO in analyzing the need for the Project. ITC Midwest otherwise requests a full exemption. The Commission has previously granted similar exemption requests for other transmission projects.

In sum, Applicants request an exemption from the data requirements of Minn. R. 7849.0270, subps. 1-5 and will provide relevant Annual Report forecast information and other forecast information used in analyzing the need for the Project. This substitute information is better tailored to the need for the Project and will assist the Commission in evaluating the Project.¹⁴

G. Minnesota Rule 7849.0280(B) – (I): System Capacity

Minnesota Rule 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

¹³ 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).

¹⁴ 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).

considerations. Applicants therefore request that the Commission grant an exemption from Minn. R. 7849.0280, subps. (B) through (I). 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.¹⁵

H. Minnesota Rule 7849.0290: Conservation Programs

Applicants request an exemption from 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. Here, Great River Energy's and Xcel Energy's 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 Energy Conservation and Optimization filings filed by Great River Energy and Xcel Energy. Instead of replicating that information in this application, Applicants propose 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. ITC Midwest has no end-user customers and therefore cannot affect their energy consumption levels. The Commission has granted ITC Midwest an exemption from this requirement in a prior docket and it is appropriate to do so here given that it is still a transmission-only company.¹⁶

Applicants will also provide information regarding how conservation and energy efficiency were considered by MISO in its evaluation of the Project. This request is consistent with prior exemptions granted by the Commission in other dockets.

I. Minnesota Rule 7849.0300: Consequences of Delay; Minnesota Rule 7849.0340: No Facility Alternative

Minnesota Rule 7849.0300 requires detailed information regarding the consequences of delay on three specific statistically-based levels of demand and energy consumption. Minnesota Rules 7849.0340 requires a discussion of the impact on existing generation and transmission facilities at the three levels of demand specified in part 7849.0300 for the no-build alternative. Such a discussion is an important element of a determination of the need for new transmission infrastructure. While Applicants will evaluate the consequences of delay and a no-build alternative, Applicants propose to evaluate these based on impacts to congestion relief and request

¹⁵ 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).

¹⁶ *In the Matter of the Application of Xcel Energy and ITC Midwest LLC for a Certificate of Need for the Huntley-Wilmarth 345 kV Transmission Line Project*, Docket No. E-002/CN-17-184, Order Approving the Petition for Exemptions from Certain Filing Requirements for the Certificate of Need Application (September 1, 2017).

a variance from the portions of these rules that require the examination of delay to incorporate the three specific levels of demand required by Minnesota Rule 7849.0300.

Applicants believe that this information will fully support our application and better inform the analysis performed by the Commission. A similar request for exemptions from the requirements of Minnesota Rules 7849.0300 and 7849.0340 was approved by the Commission in other recent transmission line Certificate of Need dockets.¹⁷

J. Minnesota Rule 7849.0330(G): Description of Major Features of the Region between Endpoints

Minnesota Rule 7849.0330(G) requires “a narrative description of the major features of the region between the endpoints of the transmission facility. The region shall encompass the likely area for routes between the endpoints. The description should emphasize the area within three miles of the endpoints.” Here, because the Project’s specific route will be determined in future proceedings, Applicants seek an exemption and propose instead to include a description of the major features within the Notice Area, as proposed in Applicants’ Notice Plan Petition. Moving from west to east, the proposed Notice Area includes all or portions of the following counties: Lincoln, Pipestone, Rock, Lyon, Murray, Nobles, Redwood, Cottonwood, Jackson, Martin, Faribault, Waseca, Freeborn, Steele, Mower, Dodge, Olmsted, Goodhue, and Dakota. Applicants respectfully submit that such an analysis will better support the Commission’s evaluation of the Project because it provides a broader range of analysis and will reflect the scope of public notice and outreach for the Project.¹⁸

V. CONCLUSION

Applicants appreciate the Commission’s consideration of these requests and respectfully request that the Commission grant the exemptions as set forth herein.

¹⁷ *In the Matter of the Application of Xcel Energy & ITC Midwest LLC for the Huntley-Wilmarth 345 kV Transmission Line Project*, Docket No. E-002/CN-17-184, Order Approving the Petition for Exemptions from Certain Filing Requirements for the Certificate of Need Application (September 1, 2017); *In the Matter of the Application of ITC Midwest LLC for a Certificate of Need for the Minnesota-Iowa 345 KV Transmission Line Project in Jackson, Martin, & Faribault Counties, Minnesota*, Docket No. Docket No. ET-6675/CN-12-1053, Order of Exemption Request (Feb. 8, 2013); *In the Matter of the Application of Northern States Power Company d/b/a/ Xcel Energy for a Certificate of Need for the Upgrade of the Southwest Twin Cities Bluff Creek – Westgate Area 69 kV Transmission Line to 115 kV Capacity*, Docket No. E002/CN-11-332, Order Granting Applicant’s Exemption Request (Nov. 16, 2011); *In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy & 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 Exemption Request (Nov. 4, 2011).

¹⁸ *See In the Matter of the Application of Xcel Energy for a Certificate of Need for Two Gen-Tie Lines from Sherburne County to Lyon County, Minnesota*, Docket No. E-002/CN-22-131, Order Approving the Petition for Exemptions from Certain Filing Requirements for the Certificate of Need Application (June 28, 2022).

Dated: October 1, 2025

/s/ Lisa M. Agrimonti

Lisa M. Agrimonti (#0272474)

Haley L. Waller Pitts (#0393470)

FREDRIKSON & BYRON, P.A.

60 South Sixth Street

Suite 1500

Minneapolis, MN 55402-4400

Telephone: (612) 492-7000

lagrimonti@fredlaw.com

hwallerpitts@fredlaw.com

**Attorneys for Great River Energy &
Northern States Power Company**

/s/ Valerie T. Herring

Valerie T. Herring (#0336865)

Kodi J. Verhalen (#0391056)

Taft Stettinius & Hollister LLP

2200 IDS Center

80 S. Eighth Street

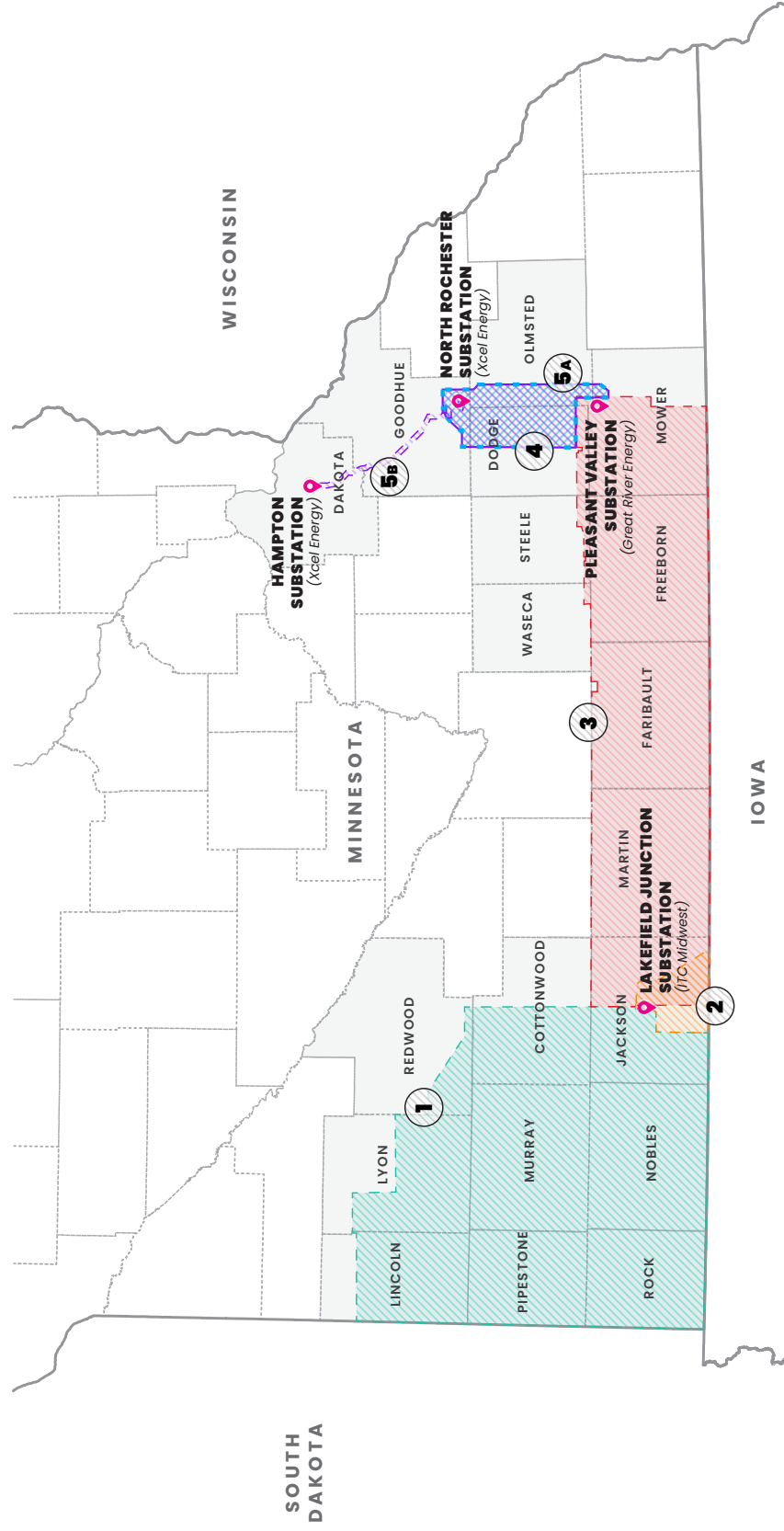
Minneapolis, MN 55402

Telephone: (612) 977-8400

vherring@taftlaw.com

kverhalen@taftlaw.com

Attorneys for ITC Midwest LLC



POWERON MIDWEST

- 1 **Utility:** Xcel Energy/
ITC Midwest
Voltage: 765 KV
LRTP 22: Big Stone South –
Brookings County – Lakefield
Junction
 - 2 **Utility:** ITC Midwest
Voltage: 765 KV
LRTP 23: Lakefield Junction –
East Adair
 - 3 **Utilities:** Great River Energy/
ITC Midwest
Voltage: 765 KV
LRTP 24: Lakefield Junction –
Pleasant Valley – North Rochester
 - 4 **Utility:** Great River Energy/
Xcel Energy
Voltage: 765 KV
LRTP 24: Lakefield Junction –
Pleasant Valley – North Rochester
 - 5a **Utility:** Xcel Energy
Voltage: Double circuit 345 KV
LRTP 25: Pleasant Valley – North
Rochester – Hampton Corner
 - 5b **Utilities:** Dairyland Power
Cooperative, Southern Minnesota
Municipal Power Agency, the City
of Rochester, Xcel Energy
Voltage: Hanging second circuit,
345 KV
LRTP 25: Pleasant Valley –
North Rochester – Hampton
Corner