

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

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Chair  
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**North Rochester – Columbia 765 kV  
Transmission Project LRTP 26**

Docket No. ET3, E002/CN-25-121

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

**I. INTRODUCTION**

Northern States Power Company, doing business as Xcel Energy, and Dairyland Power Cooperative (Dairyland, and together with Xcel Energy, 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 North Rochester – Columbia 765 kilovolt (kV) 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 shown on **Attachment A**, which depicts an overview of the Project, the Project is proposed to include the following facilities in Minnesota:

- A single-circuit 765 kV high voltage transmission line between the existing North Rochester Substation<sup>1</sup> and a point near Marion, Minnesota;
- A 765 kV/161 kV double-circuit high voltage transmission line from near Marion, Minnesota, to the Wisconsin border; and
- A new three-circuit breaker 161 kV switching station in Houston County, Minnesota; a specific location has not yet been identified. The 161 kV switching station will connect to two existing 161 kV transmission lines from Harmony, Minnesota, and Lansing, Iowa, and an existing single-

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<sup>1</sup> The existing North Rochester Substation will be expanded to accommodate 765 kV facilities as part of the PowerOn Midwest Project and will be part of a separate Certificate of Need Application.

circuit 161 kV line between the new switching station and the existing Genoa Substation in Wisconsin.

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 Wisconsin, 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 consists of the Minnesota portion of LRTP Project No. 26 (LRTP 26). LRTP 26 also extends into Wisconsin. 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 2034 as the in-service date for the Project. Applicants will submit a separate route permit application for the Project later in 2026.

### **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.<sup>2</sup> 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:

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<sup>2</sup> Minn. R. 7849.0200, subp. 6.

<b>Rule</b>	<b>Scope of Exemption</b>
Minn. R. 7849.0230 (Environmental Report)	Request exemption from the requirement to provide environmental information required under Minn. R. 7849.0230.
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.
Minn. R. 7849.0260(B)(4) and (8) (Transmission Lines with Different Terminals or Substations)	Consistent with Minn. Stat. § 216B.243, subd. 3, <sup>3</sup> the Application will not include analysis of transmission lines with end points different than those identified by MISO.
Minn. R. 7849.0260(C)(5) (Effect of Project on Rates Systemwide)	Request exemption from rates systemwide and in Minnesota, assuming a test year beginning with the proposed in-service date. As a generation and transmission cooperative, Dairyland's Board regulates its rates. Additionally, because this Project was identified as part of MISO's LRTP portfolio, costs will be recovered across the MISO region. Dairyland proposes to provide an explanation of how wholesale electricity costs are spread among users of the transmission grid. 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 request to provide a map depicting high voltage transmission lines within the proposed Notice Area.
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 Dairyland'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 providing alternative data. Dairyland 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 Dairyland'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</p>

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<sup>3</sup> 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. . . ."

<b>Rule</b>	<b>Scope of Exemption</b>
	methodology, and the share that will be allocated to Minnesota utilities' load.
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.
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. Applicants propose to provide substitute information on their conservation efforts from their most recent Energy Conservation and Optimization and Integrated Resource Plan filings. Applicants will also provide information regarding how conservation and energy efficiency was considered by the Applicants in evaluating the Project.
Minn. R. 7849.0300 (Consequences of Delay); Minn. R. 7849.0340 (No Facility Alternative)	Request to be exempt from providing analysis using three confidence levels. Applicants propose to provide 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.

Each request is discussed in more detail below. As required by Minn. R. 7849.0200, subp. 6, this request is submitted at least 45 days prior to submitting an application for a certificate of need.

#### **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.<sup>4</sup> This rule pre-dates the environmental review rules elsewhere in Chapter 7849.<sup>5</sup> Those rules, not Minn. R. 7849.0230, now govern environmental review for a transmission line Certificate of Need proceeding.<sup>6</sup> Accordingly, Applicants respectfully request an exemption from Minn. R.

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<sup>4</sup> Minn. R. 7849.0230, subps. 2–5.

<sup>5</sup> Minn. R. 7849.1000, *et seq.*

<sup>6</sup> Minn. R. 4410.4300, subp. 6.

7849.0230. Applicants will instead comply with the environmental review process set forth in Minn. R. 7849.1000–.2100.<sup>7</sup>

### **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 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.<sup>8</sup>

### **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

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<sup>7</sup> 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. . .”).

<sup>8</sup> *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).

“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.” Applicants request an exemption from this requirement. 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.<sup>9</sup>

**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. 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 Applicants’ most recent Annual Reports filed in Summer 2025 in Docket No. E999/PR-25-11. As substitute information, the Applicants will also provide forecast information used by the Applicants and/or MISO in analyzing

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<sup>9</sup> *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).

the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.<sup>10</sup>

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 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 Applicants and other forecast information used in analyzing the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.<sup>11</sup>

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.<sup>12</sup>

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

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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 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).

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

<sup>12</sup> *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).



Minnesota Rule 7849.0270, subp. 2(E), requires an estimate of the “annual revenue requirement per kilowatt-hour for the system in current dollars.” Dairyland 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 Dairyland’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. 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.<sup>13</sup>

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.<sup>14</sup>

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. Applicants 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 other forecast methodology used by MISO in analyzing the need for the Project. The Commission has previously granted similar exemption requests for other transmission projects.

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<sup>13</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>14</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 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.<sup>15</sup>

#### **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 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.<sup>16</sup>

#### **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, 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 Energy Conservation and Optimization filings filed by Applicants. 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.

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.

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<sup>15</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>16</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).

**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 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.<sup>17</sup>

**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 a future proceeding, 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 generally from northwest to southeast, the proposed Notice Area includes all or portions of the following counties: Goodhue, Wabasha, Olmsted, Mower, Fillmore, and Houston. 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.<sup>18</sup>

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<sup>17</sup> *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).

<sup>18</sup> *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).

## V. CONCLUSION

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

Dated: October 8, 2025

/s/ Lisa Agrimonti

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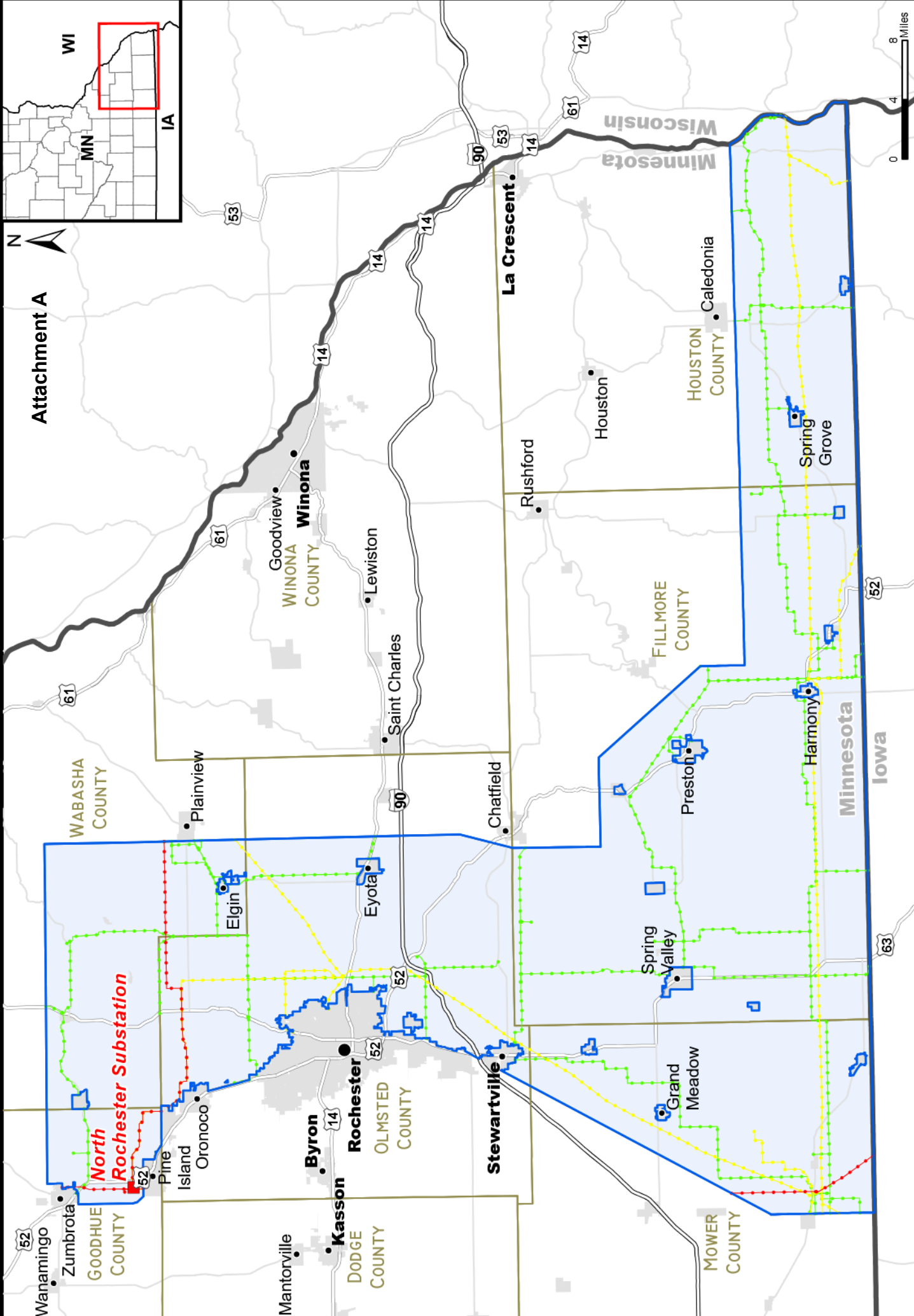
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**North Rochester – Columbia 765 kV  
Transmission Project L RTP 26  
Proposed Notice Area**

Proposed Notice	Existing Transmission
	69 kV 
	161 kV 
	345 kV 