March 19, 2026

Sasha Bergman, *Executive Secretary*
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: IN THE MATTER OF THE APPLICATION FOR A CERTIFICATE OF NEED FOR THE POWERON MIDWEST 765 KV AND 345 KV HIGH VOLTAGE TRANSMISSION LINE PROJECT
DOCKET NO. E002, ET2, ET6675/CN-25-117

Dear Ms. Bergman:

Great River Energy, Northern States Power Company, doing business as Xcel Energy, and ITC Midwest LLC (collectively, Utilities) respectfully submit the enclosed Response to North Route Group and NO765MN Petition for Consolidation, Request for Leave to Begin Discovery During Stay, Request for Contested Case and Joint Hearing, and Petition for Intervention to the Minnesota Public Utilities Commission regarding the above-captioned docket.

This document has been e-filed today through www.edockets.state.mn.us. A copy of this filing is also being served upon the persons on the attached Service List. If you have any questions or need additional information, please contact Dan Lesher at dlesher@grenergy.com, Jody Londo at jody.l.londo@xcelenergy.com, or Margaret Kristian at mkristian@itctransco.com.

Sincerely,

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/s/ Jody Londo

Jody Londo
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Northern States Power Company

/s/ Margaret Kristian

Margaret Kristian
Manager-Regulatory Strategy
ITC Midwest LLC

STATE OF MINNESOTA
BEFORE THE
PUBLIC UTILITIES COMMISSION

Katie Sieben	Chair
Joseph K. Sullivan	Vice-Chair
Audrey Partridge	Commissioner
Hwikwon Ham	Commissioner
John Tuma	Commissioner

In the Matter of the Application for a Certificate of Need for the PowerOn Midwest 765 kV and 345 kV High Voltage Transmission Line Project	Docket No. E002, ET2, ET6675/CN-25-117

APPLICANTS' RESPONSE TO NORTH ROUTE GROUP AND NO765MN PETITION FOR CONSOLIDATION, REQUEST FOR LEAVE TO BEGIN DISCOVERY DURING STAY, REQUEST FOR CONTESTED CASE AND JOINT HEARING, AND PETITION FOR INTERVENTION

INTRODUCTION & BACKGROUND

Great River Energy, Northern States Power Company, doing business as Xcel Energy, and ITC Midwest LLC (collectively, Utilities) have submitted a Joint Certificate of Need Application (Joint Application) for the PowerOn Midwest Project (PowerOn Midwest or Project). The Applicants submit this response to various filings from the North Route Group (NRG) and NO765MN which seek to stay this docket for an indeterminant period of time, consolidate it with other dockets (including route permit dockets that do not yet exist), and create a behemoth administrative proceeding.[1] The Applicants oppose these requests. This is a significant and complex undertaking and the Applicants thoughtfully planned for and sequenced required regulatory proceedings to consider multiple factors, including comprehensive public engagement.

[1] NRG and NO765MN Supplemental Filings, eDockets Nos. 20263-229071-01, 20263-229071-02, 20263-229071-03, and 20263-229071-04 (Mar. 9, 2026).

More specifically, PowerOn Midwest is part of a portfolio of 765 kV and 345 kV facilities in the upper Midwest identified by the Midcontinent Independent System Operator, Inc. (MISO). MISO's Tranche 2.1 portfolio includes 23 projects. Prior to approving Tranche 2.1, MISO studied all of the projects in the portfolio together, as it had done prior to approving Tranche 1. PowerOn Midwest includes the Minnesota portions of project nos. 22, 23, 24, and 25. Project no. 22 also extends into South Dakota, and project no. 23 extends into Iowa. The Gopher to Badger Link Project (Docket CN-25-121) includes the Minnesota portion of project no. 26 and also extends into Wisconsin.[2]

Consistent with MISO's analysis of Tranche 2.1, the Applicants analyzed project nos. 22 through 26 collectively in certain portions of the Application. Other portions of the Application are specific to the Minnesota portions of project nos. 22-25.[3]

The three Applicants coordinated to submit the Joint Application, rather than four individual certificate of need applications, because of overlapping utility applicants and to minimize regulatory burden and public confusion. The Applicants intend to submit three separate route permit applications beginning no earlier than February 2027.[4] PowerOn Midwest covers a wide geographic area (there are more than 4.7 million acres in the Notice Area[5]), and it would be burdensome on landowners and other stakeholders to consider all routes in a single proceeding. For example, it would be time-consuming and confusing for landowners in western Minnesota to

[2] Certificate of Need Application at 110-111, eDocket No. 20262-227787-02 (Feb. 3, 2026).

[3] *Compare* Application Ch. 6 to Application Ch. 2. The same is true for the Gopher to Badger Link application. This analysis, however, does not necessitate or authorize the Commission to consolidate separate applications. The projects in Tranche 1 were also studied in combination in some respects and they were each permitted separately by the Commission.

[4] Applicants' Completeness Supplemental Comments, eDockets No. 20263-229060-01 (Mar. 9, 2026).

[5] Certificate of Need Application at Table 10.1-1, eDocket No. 20262-227787-02 (Feb. 3, 2026).

participate in proceedings that also consider routing in the vicinity of Rochester, Minnesota, and vice versa. Similarly, separate route permit proceedings will allow for detailed and targeted route alternative development and analysis and for environmental review more accessible to the public because of its appropriately limited scope.

Separately, the Gopher to Badger Link Project is the Minnesota portion of project no. 26 and will be owned by a different group of utilities (although Xcel Energy is an owner in both projects). While PowerOn Midwest is primarily located in the south central and south western portions of Minnesota the Gopher to Badger Link Project is primarily located in southeastern Minnesota and proposes rebuilding and co-locating with a 161 kV line in an existing corridor for much of its length.[6] As such, that project includes different facilities and different routing considerations than PowerOn Midwest. Accordingly, it is not "inexplicable" that the Gopher to Badger Link Project submitted a separate joint certificate of need application. Likewise, because much of Gopher to Badger Link is proposed along an existing right-of-way, the applicants there have indicated they plan to submit a route permit application this fall and have agreed to joint proceedings that include the certificate of need and forthcoming route permit application. The same timing and geographic considerations do not exist for PowerOn Midwest.

Ignoring all of that careful planning, NRG and NO765MN ask the Commission to halt everything and throw everything in one proceeding. NRG and NO765MN have no legal support for this extraordinary ask. The process proposed by NRG and NO765MN would increase public burden and confusion, increase burden on agency staff and the Applicants, and put the Project's schedule at risk with no corresponding benefit for the public or the Applicants.

[6] *See In The Matter of the Application for a Certificate of Need for the Gopher to Badger Link 765 kV High Voltage Transmission Line Project (LRTP 26)*, eDockets No. ET3, E002/CN-25-121, Certificate of Need Application (Feb. 6, 2025).

ARGUMENT

I. Response to Petition for Consolidation and Request for Leave to Begin Discovery during Stay

NRG and NO765MN request that the Commission consolidate this docket with the Gopher to Badger Link Project (Docket No. CN-25-121), as well as with all future (but as of yet nonexistent) routing proceedings related to both projects.[7] NRG and NO765MN refer to Minn. R. 1400.6350 and Minn. Stat. § 216B.243, subd. 4, neither of which compels or even supports their request.

First, Minn. R. 1400.6350 is a Court of Administrative Hearings (CAH) rule and thus does not apply to this proceeding unless and until it is referred to CAH. Minn. R. 1400.6350 is not currently applicable to the Commission. Regardless, the rule requires consideration of "sav[ing] time and costs" and prejudice to any party when considering consolidation of separate contested case proceedings.[8] The consolidation proposed by NRG and NO765MN would not save time and costs—it would increase the duration of this proceeding. Likewise, the Applicants would be prejudiced by consolidation because of delay and the increased burden of such a large proceeding.

Second, Minn. Stat. § 216B.243, subd. 4, states a preference for a joint hearing on siting and need, but it must be feasible, efficient, and in the public interest. Here, the route permit applications do not yet exist. PowerOn Midwest is not expected to file its three separate route permit applications until 2027. Waiting until 2027 to combine *six* separate dockets is neither feasible nor efficient, and it is not in the public interest to require members of the public to

[7] NRG and NO765MN Supplemental Filings at 3-5, eDockets No. 20263-229071-02 (Mar. 9, 2026).

[8] Minn. R. 1400.6350, subp. 1.

participate in six consolidated dockets and wade through what would be a vast record to represent an interest that may be unique to a defined geographical area.[9]

Despite requesting a prolonged stay, NRG and NO765MN nonetheless assert without legal support that they should be allowed to proceed with discovery now.[10] To the extent the Commission orders a contested case in this proceeding, discovery could move forward immediately. If the docket is stayed over the Applicants' objections, the Applicants do not consent to proceeding with discovery because it would be burdensome and inefficient to proceed with discovery during a more than yearlong stay.

II. Response to Request for a Contested Case and Joint Hearing

In a separate document, NRG and NO765MN request a contested case and joint hearing.[11] The Applicants detailed their opposition to consolidation with Docket No. CN-25-121 (Gopher to Badger Link Project) and any later-filed route permit applications in the section above, and do not repeat those issues here, other than to reiterate that consolidation is unsupported by the law, poses risk of delay, and imposes additional burden on both the public and the Applicants.

With respect to a contested case proceeding, the Applicants' position remains unchanged from their prior filings. Pursuant to Minn. R. 7829.1000, the Commission will order a contested case "[i]f a proceeding involves contested issues of material facts and there is a right to a hearing under statute or rule," or if the Commission "finds that all significant issues have not been resolved to its satisfaction." The Applicants are not *per se* opposed to a contested case proceeding, but it

[9] Doing so would also be contrary to the intent of the Legislature, which has sought to reduce the amount of time between MISO's approval of projects and certificate of need applications. Specifically, in 2024, the Legislature reduced the time to file an application after giving notice of intent under Minn. Stat. § 216B.246, subd. 3, from 18 months to 12 months. This new 12-month timeframe applies to the Project.

[10] NRG and NO765MN Supplemental Filings at 5-8, eDockets No. 20263-229071-02 (Mar. 9, 2026).

[11] NRG and NO765MN Supplemental Filings, eDockets No. 20263-229071-03 (Mar. 9, 2026).

remains unclear whether there are parties who would and could participate in a contested case proceeding for PowerOn Midwest. The filings from NRG and NO765MN largely fail to mention PowerOn Midwest specifically, and do not discuss how NRG and NO765MN would seek to participate in a contested case proceeding specific to this docket. The filings also do not identify legal authority providing either group the right to hearing under statute or rule with respect to the Application. For these reasons, the Applicants continue to oppose a contested case proceeding at this time.

III. Response to Petition for Intervention

The Applicants appreciate that NRG and NO765MN filed their Petition for Intervention to be responsive to the procedure recommended in the Applicants' Reply Comments. Pursuant to Minn. R. 7829.0800, subp. 2, a petition to intervene must "allege the grounds for intervention" and is granted upon a showing that:

> the person is specifically considered by statute to be interested in the particular type of matter at issue; the person is specifically declared by statute to be an interested party; or the outcome of the proceeding will bind or affect the person with respect to an interest peculiar to that person, as distinguished from an interest common to the public or other ratepayers in general, or the person's interests are not adequately represented by one or more other parties participating in the case.

As indicated with respect to the contested case hearing, however, the Petition for Intervention is largely silent as to the interests of NRG and NO765MN with respect to PowerOn Midwest, instead focusing on interests related to Docket No. CN-25-121. Given Applicants' opposition to a stay and docket consolidation, it is unclear whether NRG and NO765MN would intend to intervene in this docket, alone. Likewise, neither group explains their interest in PowerOn Midwest and, as such, the Petition for Intervention does not establish that either group would have

standing to intervene in this docket under Minn. R. 7829.0800. For these reasons, the Applicants object to the Petition for Intervention at this time.

CONCLUSION

The procedure proposed by NRG and NO765MN would consolidate two certificate of need applications and four route permit applications (for which no dockets have been opened and no applications yet filed) and cover the entirety of the southern portion of Minnesota from South Dakota to Wisconsin. The Applicants oppose this request because it is not authorized by the law, would delay the Project, and would result in increased public burden and confusion. The Applicants thus respectfully request that the Commission deny these requests.

The Applicants further request that NRG and NO765MN clarify whether they intend to participate in this docket, alone, and Applicants will supplement their response to the request for a contested case and petition for intervention after that time, as needed.

Dated: March 19, 2026

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IN THE MATTER OF THE APPLICATION FOR A CERTIFICATE OF NEED FOR THE POWERON MIDWEST 765 KV AND 345 KV HIGH VOLTAGE TRANSMISSION LINE PROJECT

DOCKET NO. E002, ET2, ET6675/CN-25-117

CERTIFICATE OF SERVICE

Breann L. Jurek certifies that on the 19th of March, 2026, she e-filed a true and correct copy of the **Response to North Route Group and NO765MN Petition for Consolidation, Request for Leave to Begin Discovery During Stay, Request for Contested Case and Joint Hearing, and Petition for Intervention** on behalf of Great River Energy, Northern States Power Company, doing business as Xcel Energy, and ITC Midwest LLC via eDockets (www.edockets.state.mn.us).

Said document was also served as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on March 19, 2026

Signed: /s/ Breann L. Jurek

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75	Leanna	Whipple	lwhipple@itctransco.com	ITC Midwest LLC		100 East Grand Avenue, Suite 230 Des Moines IA, 50309 United States	Electronic Service		No	25-117 Official
76	Joseph	Windler	jwindler@winthrop.com	Winthrop & Weinstine		225 South Sixth Street, Suite 3500 Minneapolis MN, 55402 United States	Electronic Service		No	25-117 Official
77	Patrick	Woolsey	patrick.woolsey@sierraclub.org	Sierra Club		2101 Webster Street Suite 1300	Electronic Service		No	25-117 Official

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79	Patrick	Zomer	pzomer@cozen.com	Cozen O'Connor		150 S. 5th Street, #1200 Minneapolis MN, 55402 United States	Electronic Service		No	25-117 Official