BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
David C. Boyd	Commissioner
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Betsy Wergin	Commissioner

In the Matter of the Application of ITC Midwest LLC for a Route Permit for the Minnesota –Iowa 345 kV Transmission Line Project in Jackson, Martin, and Faribault Counties

ISSUE DATE: November 25, 2014

DOCKET NO. ET-6675/TL-12-1337

ORDER ISSUING ROUTE PERMIT

PROCEDURAL HISTORY

I. The Route Permit Application

On March 28, 2013, ITC Midwest LLC (ITC Midwest or the Applicant) filed an application for a route permit for the Minnesota - Iowa 345 kV Transmission Line Project in Jackson, Martin, and Faribault Counties. The Applicant filed its application under the full permitting process set forth in Minn. Stat. § 216E.03 and Minn. R. 7850.1700 – 2700 and 7850.4000 – 4400. On March 22, 2013, the Applicant filed its application for a certificate of need for the project.[1]

On June 27, 2013, the Commission issued an Order Finding Application Complete, Authorizing Advisory Task Force, and Requesting Draft Route Alternatives. On the same date, the Commission also issued a Notice and Order for Hearing on both the certificate of need and route permit proceedings and referred the matters to the Office of Administrative Hearings for joint proceedings.

On May 13 and 14, 2014, Administrative Law Judge (ALJ) James LaFave held public hearings in the cities of Fairmont, Jackson, and Blue Earth on the joint proceedings. The ALJ accepted written comments into the record until May 30, 2014.

On September 8, 2014, the ALJ filed his Findings of Fact Conclusions of Law, and Recommendations (ALJ's Report), recommending that the Commission issue a certificate of need and route permit.[2]

On September 23, 2014, the EERA and the Department of Natural Resources filed exceptions to the ALJ Report specifically related to the route permit proceedings.

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[1] Docket No. ET-6675/CN-12-1053.

[2] Given the joint proceeding of the certificate of need and route permit applications, the ALJ Report combined the findings, conclusions, and recommendations of the certificate of need and route permit.

On October 23, 2014, the Commission met to consider the matter.

II. The Environmental Impact Statement

On June 24, 2013, the Commission issued a Notice of Public Information and Environmental Impact Statement (EIS) Scoping Meetings. Six public meetings were held in the cities of Fairmont, Jackson, and Blue Earth between July 16 and 18, 2013 to provide project information and to identify issues and route alternatives to be addressed in the EIS. Public comments were accepted until August 2, 2013.

On June 27, 2013, the Commission ordered joint environmental review of the certificate of need and route permit applications.[3] The Department of Commerce Energy Environmental Review and Analysis unit (EERA) thereafter established an advisory task force to assist in determining the scope of the EIS and potential site and route alternatives.

On October 14, 2013, the deputy commissioner of the Department of Commerce issued the EIS Scoping Decision, in accordance with Minn. R. 7850.3700, subp. 2. The EERA filed a Draft EIS on the proposed project on March 21, 2014. Written comments on the Draft EIS and responses to those comments were included as Appendix M of the Final EIS.

The EERA filed the Final EIS on July 11, 2014. The Final EIS was an amended version of the Draft EIS that incorporated and identified necessary changes. The Final EIS responded to timely substantive comments on the Draft EIS, consistent with the scoping decision.

FINDINGS AND CONCLUSIONS

I. The Proposed Project

The Applicant proposes to build a 75-mile 345-kV transmission line that would run east from the existing Lakefield Junction substation near the city of Lakefield in Jackson County, and cross Martin County to a new Huntley substation near the city of Winnebago in Faribault County. From the Huntley substation, the transmission line would head south crossing the Minnesota – Iowa border near Elmore. The project also includes expanding the existing Lakefield Junction substation, constructing a new Huntley substation, reconfiguring several existing 69 and 161 kV transmission lines, and decommissioning the Winnebago substation.

The project was designed as part of a 17-project Multi Value Project (MVP) portfolio designed by the Midcontinent Independent System Operator (MISO). The Applicant states that the proposed Project is designed to enhance reliability, increase the outlet capacity for new generation, and alleviate constraints on the transmission system in southern Minnesota and the region.

[3] Order Granting Exemption, Finding Application Complete, Granting Variances, and Finding Joint Proceedings in the Public Interest, Docket No. ET-6675/CN-1053 (June 27, 2013).

II. The Legal Standard

The Project is subject to Minn. Stat. Chapter 216E, which requires that high-voltage transmission lines be routed consistent with the state's goals to locate electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources.[4] In addition, the statute requires that route permit determinations be guided by the policy objective to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state's electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.[5]

The Project is also subject to environmental review under Minn. Stat. § 216E.03, subd. 5, which directs the Commissioner of the Department of Commerce to prepare an Environmental Impact Statement on proposed high voltage transmission lines.

Further, in designating a route, the Commission must consider the permitting criteria contained in Minn. Stat. § 216E.03, subd. 7(b) and Minn. R. 7850.4100.

Under Minn. Stat. § 216E.03, subd. 7(b), the criteria are as follows:

(1) evaluation of research and investigations relating to the effects on land, water and air resources of large electric power generating plants and high-voltage transmission lines and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;

(2) environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;

(3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

(4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;

(5) analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;

(6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;

(7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;

(8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;

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[4] Minn. Stat. § 216E.02.

[5] Minn. Stat. § 216E.03, subd. 7(a) and Minn. R. 7850.4000.

(9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;

(10) evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;

(11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved; and

(12) when appropriate, consideration of problems raised by other state and federal agencies and local entities.

Under Minn. R. 7850.4100, the criteria are as follows:

A. effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;

B. effects on public health and safety;

C. effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;

D. effects on archaeological and historic resources;

E. effects on the natural environment, including effects on air and water quality resources and flora and fauna;

F. effects on rare and unique natural resources;

G. application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;

H. use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;

I. use of existing large electric power generating plant sites;

J. use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;

K. electrical system reliability;

L. costs of constructing, operating, and maintaining the facility which are dependent on design and route;

M. adverse human and natural environmental effects which cannot be avoided; and

N. irreversible and irretrievable commitments of resources.

III. Public Involvement

Minn. Stat. § 216E.08 authorizes the Commission to establish advisory task forces, which assist in evaluating routes considered for designation. In this case, the EERA established an advisory task force and conducted task force meetings on June 21, July 19, and July 23, 2013. The task force was

established to assist in determining the scope of the Environmental Impact Statement, identifying specific impacts and issues of local concern, and potential route alternatives to be assessed. The EERA filed the Minnesota to Iowa 345 kV Transmission Line advisory Task Force Report on August 16, 2013.

Further, the ALJ held public hearings regarding the Project on May 13 and 14, 2014, in the cities of Fairmont, Jackson, and Blue Earth, at which approximately 70 people spoke.[6] The comment period for submission of written comments into the record was open until May 30, 2014.

IV. Environmental Impact Statement

At the time when the Commission determines whether to issue a route permit, the Commission is to make a finding whether the EERA's Environmental Impact Statement and the record created in the public hearing address the issues identified in the EIS Scoping Decision. Minn. R. 7850.2500, subp. 10 states:

> Subp. 10. Adequacy determination.
>
> The Public Utilities Commission shall determine the adequacy of the final environmental impact statement. . . . The final environmental impact statement is adequate if it:
>
> A. addresses the issues and alternatives raised in scoping to a reasonable extent considering the availability of information and the time limitations for considering the permit application:
>
> B. provides responses to the timely substantive comments received during the draft environmental impact statement review process; and
>
> C. was prepared in compliance with the procedures in parts 7850.1000 to 7850.5600.

Having reviewed the record in this matter, the Commission concurs with the finding of the ALJ that the evidence demonstrates that the final EIS is adequate because it addresses the issues and alternatives raised in the Scoping Decision, provides responses to the substantive comments received during the draft EIS review process, and was prepared in compliance with Minn. R. 7850.1000 to 7850.5600.[7]

Thus, the Commission finds that the Final EIS meets the requirements of Minn. R. 7850.2500, subp. 10, and will so approve.

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[6] ALJ Report , Finding 384.

[7] ALJ Report, Finding of Fact 303, Conclusion of Law 9.

V. The ALJ's Report

On September 8, 2014, the ALJ filed his Findings of Fact, Conclusions of Law, and Recommendations (ALJ Report) regarding both the certificate of need proceeding and the route permit proceeding. The ALJ Report recommended that the Commission grant ITC Midwest a route permit for the Minnesota – Iowa 345 kV Transmission Line Project to construct the Project along Modified Route A,

The ALJ Report is well reasoned, comprehensive, and thorough. He made some 578 findings of fact, 33 conclusions of law, and six recommendations based on those findings and conclusions. Some 231 findings of fact specifically address the route permit criteria set forth above (Findings 322-553). The ALJ Report also included a summary of public comments and government agency participation.

The ALJ Report discussed the three route alternatives considered for the Project, including Route A, Route B, and Modified Route A, all proposed by the Applicant. The ALJ Report also discussed the additional Route Alternatives[8] and Route Variations[9] discussed in the EIS. The ALJ Report contains an evaluation of the route alternatives using the route permitting criteria set forth in Minn. Stat. § 216E.03, subd. 7(b) and Minn. R. 7850.4100, criteria which the Commission must consider in designating routes for high-voltage transmission lines.

The five ALJ recommendations for the ITC Minnesota –Iowa 345 kV Transmission Line Project read as follows:

- That the Commission conclude that all relevant statutory and rule criteria necessary to obtain a Route Permit for Modified Route A have been satisfied and that there are no statutory or other requirements that preclude granting a Route Permit based on the record.
- The Commission should grant ITC Midwest a Route Permit for the Minnesota – Iowa 345 kV Transmission Line Project and Associated Facilities in Jackson, Martin, and Faribault Counties, Minnesota to construct the Project along Modified Route A.
- The Standard Route Permit Conditions should be incorporated into the Route Permit, unless modified herein.
- The Special Route Permit Conditions identified in paragraphs 25 through 33 [of the Report] should be incorporated into the Route Permit.

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[8] The ALJ Report defined a Route Alternative as a complete connection from the Lakefield Junction substation to the Huntley Substation. All Route Alternatives follow, to varying extents, Interstate 90 and were identified as "I90 alternatives." ALJ Report, Finding of Fact 340.

[9] The ALJ Report defined a Route Variation as a shorter section of Route A or Route B that is designed to mitigate a specific impact. Some 20 Route Variations were identified and considered. ALJ Report, Finding of Fact 341.

- That ITC Midwest be required to take those actions necessary to implement the Commission's orders in this proceeding.[10]

The ALJ Report also included a memorandum that specifically addressed the merits of EERA's recommended route alternative I90-2 vis-à-vis Modified Route A, and why the ALJ recommended that the Commission select Modified Route A.

Having itself examined the record and having considered the ALJ Report as well as the exceptions filed thereto, the Commission concurs in nearly all of the ALJ's findings, conclusions, and recommendations. In a few instances, however, the Commission reaches other conclusions as delineated and explained below. On all other issues, the Commission accepts, adopts, and incorporates his findings, conclusions, and recommendations.

VI. Supplementation of the Record is Not Necessary

The EERA filed exceptions to the ALJ Report related to the route permit proceedings in this matter.[11] The EERA first argued that regardless of the route selected, the ALJ Report should be supplemented with additional facts to adequately explain what evidence the ALJ considered in reaching his recommendation. The EERA recommended that the Commission adopt some 54 modifications and/or additions to the ALJ Report.[12] The EERA asserted that these recommended changes more fully flesh out each of the routes considered during the route proceeding and the tradeoffs involved in the selection of each route.

Having carefully reviewed the record in this matter, the Commission finds that it need not supplement the ALJ Report with the additional detail recommended by the EERA. First, the Commission finds the ALJ Report to be comprehensive and thorough. Section VI of the ALJ Report (Findings 322-348) provides detailed descriptions of ITC's proposed routes (A, B, and Modified Route A) and the alternative routes evaluated (I90-1, I90-2, I90-3, I90-4, and I90-5) during the proceedings

The ALJ Report also includes numerous findings that compare each of the identified alternatives, using the facts in the record as they related to routing factors such as displacement, agriculture, forestry, mining, archaeological resources, surface water resources, flora, fauna, existing right-of-way, and reliability (Findings 415-545).

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[10] ALJ Report, Recommendations 2-6, p. 120.

[11] The EERA's exceptions discuss: 1) the application of the routing factors of Minn. R. 7850.4100 to the routing options in the record; 2) the removal of the existing 161 kV line from Fox Lake and Lake Charlotte; 3) the right-of-way for the Project; 4) the route permit conditions for the Project; and 5) certain minor edits to clarify the record. The EERA essentially agreed with the ALJ's findings regarding the right-of-way for the Project, but recommended certain additional clarifications that the Commission finds unnecessary.

[12] See Attachment 3 to Staff Briefing Papers in this matter, Summary of Exceptions to ALJ Report as Proposed by EERA.

Second, the EERA had submitted these same proposed changes to the ALJ for his consideration in the agency's Reply Comments, submitted prior to his Report being issued.[13] The ALJ therefore had the opportunity to review and consider these changes, and determined not to incorporate them in his Report.

Finally, the Commission finds that the ALJ Report adequately discusses the reasons he recommended Modified Route A as the more appropriate route for the Project, rather than the other options considered in the route proceeding. In addition to the findings and conclusions contained in the Report, the ALJ specifically addressed the merits of Modified Route A versus the EERA's recommendation in a Memorandum included at the end of the Report.

> The EERA requested that the Administrative Law Judge recommend that the Commission issue a Route Permit for Route Alternative 190-2 between the Lakefield Junction and Huntley substations and Modified Route A, incorporating Route Variations HI-2 and HI-5 between the Huntley Substation and the Iowa border. ITC Midwest requested the Administrative Law Judge recommend the Commission select Modified Route A. The EERA conceded in its comments that a comparison of Modified Route A and Alternative Route 190-2 against the factors in Minn. R. 7850.4100 "is a very close call."
>
> After a careful review of the record, there are two reasons why this Administrative Law Judge concludes that Modified Route A is the preferable choice.
>
> First is reliability. Modified Route A would require four (4) miles of triple-circuit structures, co-locating with an existing 69kV transmission line owned by ITC Midwest, south of Fox Lake. It would also require approximately 2.2 miles of triple-circuit structures co-locating with an existing 69kV transmission line owned by Great River Energy, south of Lake Charlotte. Alternative Route 190-2 would require approximately 13 miles of triple-circuit capable structures, co-locating with an existing ITC Midwest 69kV transmission line with the Project between the Fox Lake Substation and State Highway 15. The 69 kV transmission line connects the Fox Substation to the City of Fairmont.
>
> A triple circuit design presents a couple of challenges. One is maintenance. A triple-circuit design requires outages of multiple circuits to allow work on one line. The other is a triple-circuit design which creates a risk that all three lines could be taken out of service due to a single event.
>
> Alternative Route 190-2 would require over twice the length of triple circuit design as would Modified Route A. This additional length presents more opportunities for the disruption of power either when lines are in need of repair or when they are knocked out by weather. Modified Route A is therefore the more reliable choice.

[13] EERA Reply Comments, this docket (August 8, 2014).

> The second reason for selecting Modified Route A is the overwhelming public support. Of all the comments received, whether in writing or at the public hearings, the near unanimous choice was Modified Route A.
>
> For the reasons set forth above, the Administrative Law Judge respectfully recommends the Commission select Modified Route A.[14]

The Commission finds the ALJ's reasoning in support of Modified Route A versus the EERA's recommendation to be persuasive, and his findings and conclusion in the record thorough and supportive of his recommendation. Accordingly, the Commission will not accept the EERA's recommendations to supplement the ALJ Report with the additional facts proposed.

VII. Removal of the Existing 161 kV Transmission Lines from Fox Lake and Lake Charlotte

The Lakefield to Border 161 kV transmission line currently crosses Fox Lake and Lake Charlotte. The Applicant did not propose removing the existing 161 kV transmission line crossings from the two lakes as part of this Project, explaining that the crossings were rebuilt within the last five years at a cost of some $7 million to meet Minnesota Department of Natural Resources license clearance requirements. The Applicant proposed to construct Modified Route A on structures capable of carrying the 161 kV circuit in the future, when age of the transmission line or conditions so warrant.

The ALJ agreed with the Applicant that removal of the existing 161 kV transmission line from Fox Lake and Lake Charlotte at this time is not necessary as part of this Project.[15]

In its exceptions, the EERA continued to recommend the removal and re-routing of the existing transmission line crossings from Fox Lake and Lake Charlotte. The EERA argued that the analysis contained in the Final EIS found that one transmission line right-of-way at Fox Lake and Lake Charlotte, rather than two rights-of-way, best avoids and minimizes potential negative impacts from the Project. The EERA explained that removal of the 161 kV transmission line crossings would help to minimize the aesthetic, agricultural, and avian impacts from the Project. The EERA recommended removal of the existing 161 kV line from the two lakes and instead double-circuiting the line with the 345 kV line.

In its exceptions, the Department of Natural Resources (DNR) concurred with the EERA and recommended that the existing 161 kV lines spanning the two lakes be removed as part of the Project.

The Commission has carefully considered the arguments of the parties regarding the removal of the 161 kV transmission line crossings from Fox Lake and Lake Charlotte. The Commission understands that removing the two lines might reduce certain aesthetic, environmental, and avian impacts to the two lake areas. However, such benefits have not been clearly defined, analyzed, or quantified in the record. Because the relative merits of removing the 161 kV lines from crossing the lake areas versus leaving them in place has not been adequately addressed in this proceeding, the Commission will not take the action requested by the parties.

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[14] ALJ Report, Memorandum, page 122 (footnotes omitted).

[15] ALJ Report, Conclusion of Law 23.

The transmission lines have crossed Fox Lake and Lake Charlotte since the 1950's. And, as noted by the ALJ, the 161 kV transmission line lake crossings were rebuilt in 2010 at a cost of some $7 million dollars to meet Department of Natural Resources minimum license clearance requirements.[16] The DNR issued an amended license for the crossings at that time. Further, and importantly, the estimated cost to remove the 161 kV transmission lines from the two lake crossings would add an additional $7.8 million to the cost of the Project.

The Commission finds that the record in this matter does not justify removing the lake crossings as a necessary part of the Project, considering the significant costs that would be imposed on ratepayers for what at best is a vaguely defined set of potential benefits. Further, the Applicant intends to construct Modified Route A on structures capable of carrying the 161 kV circuit in the future, when age or other conditions warrant. Under these circumstances, the Commission concurs with the ALJ's Findings and Conclusions as to this issue.

VIII. Permit Language

The EERA also proposed modifications to certain Conclusions made by the ALJ that relate to the general permit language in the route permit, including Conclusions 24, 25, 26, and 28-32.

The EERA recommended striking Conclusion 24, proposed by ITC Midwest, which modifies standard route permit condition 4.2.4 to allow construction of the project outside of daytime working hours for a variety of reasons including "other factors." The Commission agrees that the ALJ's modification to the standard route permit condition 4.2.4 should be stricken as impermissibly broad and potentially in violation of state noise standards.

The EERA recommended striking Conclusion 25, proposed by ITC Midwest, which modifies standard route permit condition 4.7.3 regarding interference with communication devices. The EERA asserted that this modification is not supported by the record and no findings support such a conclusion. The Commission concurs, and will strike this Conclusion.

The EERA recommended modifying Conclusion 26, which requires that ITC Midwest comply with the agricultural impact mitigation plan (AIMP) that has been approved for the Project. The EERA proposed adding the following language to this Conclusion to implement the provision and require distribution of the AIMP to landowners with the route permit.

> <u>The Permittee shall comply with the AIMP prepared for this project and approved by the Minnesota Department of Agriculture. The permittee shall distribute the AIMP with the route permit to all affected landowners in accordance with Section 4.5 of this permit.</u>

The Commission concurs that this modification to Conclusion 26 is appropriate and necessary, and will so modify.

[16] ITC Midwest Post-Hearing Brief, this docket, at 44 (July 11, 2014).

The EERA recommended modifying Conclusion 28, which recommends that ITC Midwest prepare a vegetation management plan for the project, to ensure that it clearly addresses tall trees within and outside the permitted right of way that could endanger the operation of the transmission line. The EERA recommended modifying Conclusion 28, subp. 5 as follows:

> 5. Measures that will be used to manage vegetation during operation and maintenance of the Project, <u>including tall tree species within and outside of the</u> <u>permitted right-of-way that endanger the safe and reliable operation of the</u> <u>transmission line,</u> in accordance with <u>this permit</u> and any local, state or federal permit licenses, or approvals.

The Commission concurs with the EERA's proposed modification to Conclusion 28, and will so modify the ALJ Report accordingly.

The EERA recommended striking Conclusion 29, which recommends as a special permit condition, that ITC Midwest prepare a Stormwater Pollution Prevention Plan (SWPPP) for the Project. The Commission agrees with the EERA that imposing such a requirement in the route permit is unnecessary, as such a plan will be required for the Project by the Minnesota Pollution Control Agency (MPCA).[17] Accordingly, the Commission will strike Conclusion 29.

The EERA recommended that the Commission make certain edits to ALJ Conclusion 30, which recommends that the Applicant prepare a construction environmental control plan (CECP) for the Project. The EERA's proposed modifications clarify that the CECP must be filed prior to the submittal of the plan and profile for any segment of the Project, and to provide for regular reporting not only on construction status but also on the results of construction inspection and monitoring. The Commission agrees that such modifications are helpful and clarifying, and will so require.

The EERA recommended modifications to Conclusion 31 of the ALJ Report, which recommends a special permit condition regarding the Project's alignment across the Des Moines River. The EERA recommended that the Commission require the Applicant to:

- <u>Consult with the DNR and jointly agree on the appropriate alignment across the river;</u>
- <u>Clarify the considerations, (avian impacts and impacts to the Oak-Basswood forest) that will guide the Applicant and DNR's consultation; and</u>
- <u>File the work and results of the consultation with the Commission through the Project's plan and profile filings.</u>

The Commission concurs that these additional steps are appropriate, and will so require.

The EERA recommended certain modifications to Conclusion 32, which requires the Applicant to consult with the State Historic Preservation Office on a Phase I archaeological survey and appropriate mitigation measures for the Project. EERA recommended editing the conclusion so that it is applicable to all routing options under consideration and does not presuppose the use of

[17] The MPCA requires a SWPPP from all applicants for a National Pollutant Discharge Elimination System/State Disposal permit, which is required whenever construction activities for a project disturb more than one acres of soil. This Project will require such a permit.

Modified Route A. The Commission agrees that this is reasonable, and will make the changes reflected below:

> It is not appropriate to require ITC Midwest to train construction workers in the handling of archaeological resources but it is appropriate to require ITC Midwest to inform construction workers of known archaeological and historic resource areas along the permitted route for the Project ~~given the limited risk for impact to archaeological and historic resources as Modified Route A primarily follows disturbed areas including agricultural fields~~. The following Special Route Permit Condition is appropriate for the Project:
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> Permittee shall consult with State Historic Preservation Office (SHPO) concerning the extent of a Phase I archaeological survey and appropriate mitigation measures for the Project. Permittee shall document and submit to the Commission the results of this consultation, including those portions of the Project that will be surveyed and the extent of the survey with the construction
>
> For those portions of the Project that are surveyed, Permittee shall submit, with the plan and profile for these portions, the results of the survey and all applicable avoidance and mitigation measures employed or to be employed.
>
> Permittee shall inform construction personnel of known archaeological resources along the permitted route for the Project and of archaeological survey results. The Permittee shall employ a monitor that reports to and communicates with the Environmental Monitor to identify and report archaeological resources encountered during construction of the Project and to coordinate with SHPO on appropriate mitigation measures.

At the Commission meeting the Applicant supported the proposed modifications. The Commission agrees with the modifications recommended by EERA and supported by the Applicant, as fully set forth below in the Commission's Ordering Paragraph 2.

Finally, the Commission will modify ALJ Conclusion 33 to specify the Department of Commerce as the state agency that prepares the right-of-way information, as specified below:

> The permittee shall distribute to relevant landowners information prepared by ~~state agencies~~ the Department of Commerce regarding landowner rights with respect to right-of-way negotiations concurrent with the permittee's first contact with these landowners regarding right-of-way acquisition.

ORDER

1. The Commission finds that the EIS prepared by the Department of Commerce for the ITC Minnesota –Iowa 345 kV Transmission Line Project meets the requirements of Minn. R. 7850.2500, subp. 10, in that it:

   A. Addresses the issues and alternatives raised in scoping to a reasonable extent considering the availability of information and the time limitations for considering the permit application;

B. Provides responses to the timely substantive comments received during the draft environmental impact statement review process; and

C. Was prepared in compliance with the procedures in parts 7850.1000 to 7850.5600.

2. The Commission approves and adopts the ALJ's Findings of Fact, Conclusions of Law, and Recommendations for the ITC Minnesota –Iowa 345 kV Transmission Line Project with modifications to Conclusions 24, 25, 26, and 28-33 relating to permit conditions as set forth below:

Conclusion 24:

~~Standard Route Permit Condition 4.2.4 should be modified to acknowledge that occasionally construction activities may occur outside the defined daytime hours of 7 a.m. to 10 p.m. or on a weekend if ITC Midwest is required to work around customer schedules, line outages, or has been significantly impacted due to other factors~~.

Conclusion 25

~~Standard Route Permit Condition 4.7.3 regarding interference with communication devices should be modified to read:~~

~~Should electronic interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices occur as a result of the presence or operation of the transmission line, Permittee will work with affected landowners on a case-by-case basis to assess the cause of the interference and, to the extent practicable, restore electronic reception to pre-Project quality.~~

Con**clusion 26**

A Special Route Permit Condition requiring an AIMP and requiring ITC Midwest's compliance with the AIMP is appropriate for the Project.

<u>The Permittee shall comply with the AIMP prepared for this project and approved by the Minnesota Department of Agriculture. The permittee shall distribute the AIMP with the route permit to all affected landowners in accordance with Section 4.5 of this permit.</u>

Conclusion 28

A Special Route Permit Condition requiring ITC Midwest to prepare a vegetation management plan (VMP) is appropriate for the Project: Permittee shall develop a VMP. Permittee shall submit the VMP with the Construction Environmental Control Plan and monitor compliance with the VMP in accordance with the procedures set forth in the VMP. The purpose of the VMP shall be to identify measures to minimize the disturbance and removal of vegetation for the Project, prevent the introduction of noxious weeds and invasive species, and revegetate disturbed non-cropland areas with appropriate native species in cooperation with landowners and state, federal, and local resource agencies, in

such a way that does not negatively impact the safe and reliable operation of the Project. The VMP shall include:

1. Measures that will be taken to minimize vegetation disturbance and removal during construction of the Project to the extent that such actions do not violate sound engineering principles of system reliability criteria.

2. Measures that will be taken to prevent the introduction of non-native and invasive species.

3. Measures that will be taken to revegetate disturbed non-cropland areas with appropriate native species to the extent that such actions do not violate sound engineering principles or system reliability criteria.

4. Processes by which Permittee will identify landowner and resource agency preferences or requirements regarding vegetation management (e.g., no herbicide application, etc.) and how these preferences or requirements will be addressed.

5. Measures that will be used to manage vegetation during operation and maintenance of the Project, including tall tree species within and outside of the permitted right-of-way that endanger the safe and reliable operation of the transmission line, in accordance with this permit and any local, state or federal permit licenses, or approvals.

Conclusion 29

~~A Special Route Permit Condition requiring ITC Midwest to prepare a SWPPP is appropriate for the Project~~.

Conclusion 30

A Special Route Permit Condition requiring a Construction Environmental Control Plan worded as follows is appropriate:

Permittee shall develop a Construction Environmental Control Plan. The Construction Environmental Control Plan shall include all environmental control plans and special conditions imposed by permits or licenses issued by state or federal agencies related to agency-managed resources. Plans within the Construction Environmental Control Plan shall include the Agricultural Impact Mitigation Plan (AIMP), an Avian Mitigation Plan (AMP), a Vegetation Management Plan (VMP), and a Stormwater Pollution Prevention Plan (SWPPP).

The Construction Environmental Control Plan shall be filed with the Commission thirty (30) days prior to submitting the Plan and Profile for any segment of the Project. The Construction Environmental Control Plan shall include the following:

1. Identification of and contact information for an Environmental Monitor to oversee the construction process and monitor compliance with the Construction Environmental Control Plan and all plans therein.

2. A process for regular reporting on construction status and the results of construction inspection and monitoring to the Commission.
3. A process for reporting the status of permits and licenses or other approvals from local units of government, state agencies, or federal agencies for the Project to the Commission.
4. A process for internal tracking of construction management, including required plan or permit inspection forms.

Conclusion 31

The following Special Route Permit Condition for the Des Moines River crossing is appropriate for the Project:

~~This Route Permit shall allow Permittee to construct the Project across the Des Moines River within Modified Route A along either the existing transmission line centerline (referred to as JA-2 in the EIS) or the Modified Route A alignment without providing additional information on the potential for environmental impacts. Permittee intends to work with the MnDNR and the landowners on the east and west banks of the Des Moines River, to the extent practicable. To accommodate various considerations regarding impacts to environmental features, including an Oak-Basswood forest, avian species, and agricultural operations, and to avoid interference with air navigation at the Jackson Municipal Airport, Permittee may use specialty structures if necessary.~~

The Permittee shall consult with the MnDNR regarding the feasibility of mitigation measures for the crossing of the Des Moines River, and shall jointly determine with the MnDNR the alignment and mitigation measures that best mitigate avian impacts and impacts to the Oak-Basswood forest at the Des Moines River crossing. The Permittee shall document this consultation and the alignment and mitigation measures agreed upon by the Permittee and the MnDNR for the crossing. The Permittee shall submit this information with the plan and profile for this section of the Project.

Conclusion 32

It is not appropriate to require ITC Midwest to train construction workers in the handling of archaeological resources but it is appropriate to require ITC Midwest to inform construction workers of known archaeological and historic resource areas along the permitted route for the Project ~~given the limited risk for impact to archaeological and historic resources as Modified Route A primarily follows disturbed areas including agricultural fields~~. The following Special Route Permit Condition is appropriate for the Project:

Permittee shall consult with State Historic Preservation Office (SHPO) concerning the extent of a Phase I archaeological survey and appropriate mitigation measures for the Project. Permittee shall document and submit to the Commission the results of this consultation, including those portions of the Project that will be surveyed and the extent of the survey with the construction

For those portions of the Project that are surveyed, Permittee shall submit, with the plan and profile for these portions, the results of the survey and all applicable avoidance and mitigation measures employed or to be employed.

Permittee shall inform construction personnel of known archaeological resources along the permitted route for the Project and of archaeological survey results. The Permittee shall employ a monitor that reports to and communicates with the Environmental Monitor to identify and report archaeological resources encountered during construction of the Project and to coordinate with SHPO on appropriate mitigation measures.

Conclusion 33

The permittee shall distribute to relevant landowners information prepared by ~~state agencies~~ the Department of Commerce regarding landowner rights with respect to right-of-way negotiations concurrent with the permittee's first contact with these landowners regarding right-of-way acquisition.

3. The Commission hereby issues the attached high-voltage transmission line route permit identifying Modified Route Al for the ITC Midwest Minnesota – Iowa 345 kV Transmission Line Project in Jackson, Martin, and Faribault Counties.

4. This order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT FOR CONSTRUCTION OF A HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
JACKSON, MARTIN, AND FARIBAULT COUNTIES

ISSUED TO
ITC MIDWEST LLC

PUC DOCKET NO. ET-6675/TL-12-1337

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this route permit is hereby issued to:

ITC MIDWEST LLC

ITC Midwest LLC is authorized by this route permit to construct and operate approximately 75 miles of new 345 kilovolt transmission line in Jackson, Martin, and Faribault counties, Minnesota.

The transmission line and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this 25th day of November, 2014

BY ORDER OF THE COMMISSION

Burl W. Haar,
Executive Secretary

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Official Route Maps

ATTACHMENTS

Attachment A – Complaint Procedures for High-Voltage Transmission Lines
Attachment B – Compliance Filing Procedures for Permitted Energy Facilities

1.0 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to ITC Midwest LLC pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes ITC Midwest LLC (Permittee) to construct and operate approximately 75 miles of new 345 kilovolt (kV) transmission line in Jackson, Martin, and Faribault counties, Minnesota, and as identified in the attached route permit maps, hereby incorporated into this document.

1.1 Pre-emption

Pursuant to Minn. Stat. § 216E.10, this route permit shall be the sole approval required to be obtained by the Permittee for construction of the transmission facilities and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

2.0 PROJECT DESCRIPTION

The Project includes the construction and operation of approximately 75 miles of new 345 kV transmission line in Jackson, Martin, and Faribault counties. The 345 kV transmission line would run east from the existing Lakefield Junction substation near the city of Lakefield in Jackson County, crossing Martin County to a new Huntley substation near the city of Winnebago in Faribault County. From the new Huntley substation, the transmission line would proceed south crossing the Minnesota-Iowa border near the city of Elmore, Minnesota. The Project also includes expanding the existing Lakefield Junction substation, constructing a new Huntley substation, reconfiguring several existing 69 kV and 161 kV transmission lines, and decommissioning the Winnebago substation.

2.1 Project Location

The Project is located in southern Minnesota in Jackson, Martin, and Faribault counties, specifically within the townships of Hunter, Des Moines, Belmont, Wisconsin, Jay, Manyaska, Fox Lake, Fraser, Rutland, Center Creek, Verona, Jo Daviess, and Pilot Grove.

County	Township Name	Township	Range	Section
Jackson	Hunter	T102N	R36W	1, 2, 3
	Des Moines	T102N	R35W	1, 2, 3, 4, 5, 6
	Belmont	T103N	R35W	34, 35, 36
	Wisconsin	T012N	R34W	1, 2, 3, 4, 5, 6

County	Township Name	Township	Range	Section
Martin	Jay	T102N	R33W	1, 2, 3, 4, 5, 6
	Manyaska	T102N	R32W	2, 3, 4, 5, 6
	Fox Lake	T103N	R32W	13, 24, 25, 26, 35, 36
	Fraser	T103N	R31W	13, 14, 15, 16, 17, 18, 19, 30
	Rutland	T103N	R30W	13, 14, 15, 16, 17, 18, 19, 20, 21
	Center Creek	T103N	R29W	13, 14, 15, 16, 17, 18
Faribault	Verona	T103N	R28W	9, 10, 11, 14, 15, 16, 17, 18, 22, 23, 26, 35
	Jo Daviess	T102N	R28W	2, 11, 14, 23, 26, 35
	Pilot Grove	T101N	R28W	2, 11, 14, 23, 26, 35, 36

2.2 Associated Facilities and Substations

The associated facilities for the Project include expansion of the existing Lakefield Junction substation, removal of the existing Winnebago Junction substation, construction of the new Huntley substation, reconfiguration of four 161 kV transmission lines, and reconfiguration of three 69 kV transmission lines to be constructed to 161 kV standards.

2.2.1 Lakefield Junction Substation

The Lakefield Junction substation is located in the southwest quarter of the northeast quarter of Section 3 in Hunter Township. The substation will be expanded east approximately three acres to house additional equipment as part of the Project. Grading will be required over the full three acres. The fenced area will only be expanded by approximately 2.2 acres. New equipment will include one 345 kV bay using one position and a future bay position to allow for three future connections.

2.2.2 Winnebago Junction Substation

The Winnebago Junction substation is located in the northwest quarter of the southeast quarter of Section of Section 11 in Verona Township. The substation will be decommissioned as part of the Project. Decommissioning will entail the removal of all substation infrastructure at the site including electrical equipment, foundations, gravel, and fencing. One 161 kV transmission line and two 69 kV transmission lines will remain on the property after the substation infrastructure is removed.

The site will be allowed to return to its natural state by reestablishing vegetation in areas not crossed by the remaining transmission line rights-of-way. ITC Midwest will continue to own and operate transmission lines across the parcel.

2.2.3 Huntley Substation

The new Huntley substation will be constructed on a 32-acre parcel located in the southwest quarter of the southeast quarter of Section 14 in Verona Township. The substation fenced area will be approximately 12 acres and will include a control building. The remainder of the 32-acre parcel will be graded to allow for property setbacks, line clearances, retention pond, and road access requirements. Equipment to be installed within the fenced area includes a 40 MVAR bank of reactors, one 345 kV/161 kV transformer, two 161 kV/69 kV transformers, two 345 kV breaker-and-a-half bays with three 345 kV breakers, four 161 kV breaker-and-a-half bays with eleven 161 kV breakers, three 69 kV breakers, associated switches, steel, foundations, and dead end structures. The substation will be designed to allow for future installation of two 345 kV breaker-and-a-half bays and one additional 161 kV breaker-and-a-half bay.

2.2.4 Transmission Line Reconfiguration

The Project will include the reconfiguration of four existing 161 kV transmission lines and three existing 69 kV transmission that currently terminate at the Winnebago Junction substation that will be decommissioned. The seven transmission lines will be reconfigured and rerouted from the Winnebago Junction substation to the Huntley substation as follows:

- The existing 161 kV Rutland – Winnebago Junction will be constructed on single pole double-circuit structures with the new 345 kV transmission line and operated at 345 kV/161 kV.

- The existing 161 kV N.B.E.I – Winnebago Junction and the 69 kV Winnebago Local – Winnebago Junction transmission lines will be constructed on single pole double-circuit structures to 161 kV/161 kV standards but operated at 161 kV/69 kV (Local/N.B.E.I – Huntley).

- The existing 161 kV Freeborn – Winnebago Junction and the 69 kV Blue Earth – Winnebago Junction transmission lines will be constructed on single pole double-circuit structures to 161 kV/161 kV standards but operated at 161 kV/69 kV (Blue Earth/Freeborn – Huntley).

- The existing 69 kV Walters – Winnebago Junction transmission will not be co-located with another line but will instead be constructed on single pole structures to 161 kV standards but operated at 69 kV (Walters – Huntley).

The portions of rights-of-way currently occupied by the existing 161 kV Rutland – Winnebago Junction and the 69 kV Blue Earth – Winnebago Junction transmission lines will no longer be needed after the Project is constructed and will be abandoned.

2.3 Structures

The primary tangent structures authorized for the Project be will single pole galvanized or self-weathering steel davit arm structures capable of supporting one 345 kV circuit and one 161 kV circuit. The structures will be 130 to 190 feet in height with an average span of 700 to 1,000 feet between structures and will be supported by an approximately 8-foot diameter 25-foot deep drilled pier concrete foundation.

Specialty structures authorized for the Project may include angle, dead-end, H-frame, multiple pole, and low profile. The table below details specifics on the various structure types as presented in the route permit application.

Line Type	Initial Operation	Structure Type	Right-of-way (feet)	Height (feet)	Structure Base	Foundation	Span (feet)
					Diameter (feet)		
345 kV/161 kV	345 kV/161 kV or 345 kV/None	Single Pole Davit Arm	150	130-190	5-9	8-12	700-1,000
		Single Pole Davit Arm Low Profile	150	100-160	5-9	8-12	500-1,000
		Two Pole	150	130-190	9	12	700-1,000
		Three Pole Low Profile	150	100-160	9	12	500-1,000
345 kV/161 kV/69 kV	345 kV/161 kV/69 kV	Single Pole Davit Arm	150	175-195	9	12	600-800
345 kV/161 kV/69 kV	345 kV/161 kV/69 kV	2 Pole Deadend	150	175-195	11	14	600-800
345 kV/161 kV/69 kV	345/69 kV	Single pole davit arm with Underbuild	150	130-190	7	10	600-800

345 kV/161 kV/69 kV	345/69 kV	1 Pole Deadend	150	130-190	11	14	600-800
345 kV/161 kV	345 kV/69 kV	Single Pole Davit Arm	150	130-190	5-9	8-12	700-1,000
		Two Pole	150	130-190	9	12	700-1000
161 kV/161 kV	161 kV/161 kV or 161 kV/69 kV	Single Pole Braced Post	100	80-120	3.5-7	10 (Angle)	600-800
		Single Pole Davit Arm	100	80-120	7	10	600-800
161 kV	69 kV	Single Pole Braced Post	100	70-110	3-5	8 (Angle)	600-800
		Single Pole Davit Arm	100	70-110	5	8	600-800

Note: All structures will be comprised of galvanized or self-weathering steel.

2.4 Conductors

Each 345 kV phase wire for the Project will consist of two twisted pair Drake 795-circular mil 26/7 aluminum conductor steel reinforced (ACSR) conductors, or equivalent 3,000 amp conductor. Each ACSR cable consists of a core of seven steel conductors surrounded by 26 aluminum strands. The 345 kV twisted pair conductors (two sets for each of the three phases) will have a capacity equivalent to 3,000 amps. The same conductor and bundled configuration will be used for all the 345 kV sections of the transmission line in Minnesota. The minimum conductor clearance for the 345 kV transmission line between the ground and lowest point of the conductor will measure 35 feet.

Each 161 kV phase wire for the Project will consist of twisted pair Drake 795-circular mil 26/7 (ACSR) conductors, or equivalent 1,600 ampere conductor. The 161 kV line from N.B.E.I. to Huntley will consist of aluminum conductor steel supported 565-circular mil Calumet, or equivalent 1,400 amp conductor. The minimum conductor clearance for the 161 kV transmission line between the ground and lowest point of the conductor will measure 25 feet.

The 69 kV transmission lines to be relocated from the Winnebago Junction substation to the Huntley substation will consist of twisted pair Drake 795-circular mil 26/7 ACSR conductors, or comparable conductor. Other 69 kV conductors for the Project will consist of 600 amp conductor, or equivalent conductor. The minimum conductor clearance for the 69 kV transmission line between the ground and lowest point of the conductor will measure 21 feet.

An approximately 1-inch diameter shield wire will be installed above the conductors for lightning protection. The shield wire may include a fiber optic cable that allows for substation protection equipment to communicate with other terminals on the line.

2.5 Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. The transmission line shall be equipped with protective devices to safeguard the public if an accident occurs.

3.0 DESIGNATED ROUTE

The route for the Project will vary in width from 1,000 feet and 2,200 feet. The widths greater than 1,000 feet are as follows: Des Moines River (1,400 feet); south of Lake Charlotte (1,200 feet); east of Lake Charlotte near State Highway 15 (1,400 feet); south of and adjacent to the Proposed Huntley substation (2,200 feet); and along the Blue Earth River south of the Proposed Huntley Substation (1,700 feet).

3.1 Lakefield Junction to Huntley – Jackson County

In Jackson County, the route originates at ITC Midwest's existing Lakefield Junction substation, located in Section 3 in Hunter Township. The route extends southeast from the Lakefield Junction Substation approximately 0.5 mile (north of 810th Street) and joins the existing Lakefield to Border 161 kV transmission line. It continues east approximately 0.5 mile until crossing 470th Street. From here, the route continues east through the middle of Sections 2 and 1 in Hunter Township for approximately two miles until reaching 490th Avenue. Before reaching 490th Avenue and for a short distance after crossing 490th Avenue, the route deviates slightly from the existing Lakefield to Border 161 kV transmission line. The existing 161 kV line will be removed from its current location and co-located with the new 345 kV line for approximately 1,900 feet as it crosses 490th Avenue. The route continues east through the middle of Sections 6 and 5 in Des Moines Township for approximately 1.8 miles. The route then turns to the southeast then east for approximately 1.6 miles crossing through the southern half of Section 4 in Des Moines Township to the middle of Section 3 where the route reaches the western bank of the Des Moines River. From this location, there are two options for crossing the Des Moines River in Section 3 of Des Moines Township. Both options would remove the existing Lakefield to Border 161 kV transmission line for 1.5 mile through Section 2 and the western half of Section 1 of Des Moines Township. In this area, the route width expands to a maximum of 1,400 feet for approximately 0.5 mile:

Alignment Option 1

The first option for crossing the Des Moines River is to follow the alignment, which deviates from the existing Lakefield to Border 161 kV transmission line to cross the Des Moines River perpendicularly for approximately 2,700 feet in a northeast direction. From this point, the alignment turns north before reaching Section 2 of Des Moines Township. Use of route alignment across the Des Moines River would remove the existing Lakefield to Border 161 kV transmission line from its current crossing of the Des Moines River.

Alignment Option 2

The second option for crossing the Des Moines River is to follow an alignment, which crosses the Des Moines River along the existing Lakefield to Border 161 kV transmission line centerline for approximately 3,100 feet in a northeast, then east direction. From this point, the alignment turns north before reaching Section 2 of Des Moines Township.

After the crossing of the Des Moines River, the route continues north for another 0.5 mile to 820th Street, where it turns east. The route extends along 820th Street for 0.6 mile, continuing east for an additional mile and across U.S. Highway 71 between Sections 3, 2, and 1 of Des Moines Township and 34, 35, and 36 of Belmont Township, respectively. The route then turns south, 0.5 mile east of U.S. Highway 71 in Section 1 of Des Moines Township. The route extends south for 0.5 mile and rejoins the alignment of the existing Lakefield to Border 161 kV transmission line. It turns east in the middle of Section 1 of Des Moines Township, and extends another 0.5 mile to 550th Avenue/County Road 23 and Wisconsin Township. From here, the route continues through the middle of Sections 6, 5, 4, 3, 2, and 1 of Wisconsin Township along field lines for approximately 6 miles until reaching 10th Avenue and the Martin County line. In Section 5, the route deviates from the existing Lakefield to Border 161 kV transmission line for 1,300 feet and the 161 kV and 345 kV transmission lines would be co-located along the new alignment.

3.2 Lakefield Junction to Huntley – Martin County

In Martin County, the route continues eastward in Jay Township from the Jackson County border. Between Section 6 and 5 at 20th Street, the existing 161 kV line will be relocated, and co-located with the 345 kV line for approximately 2,000 feet. The route continues through the middle of Sections 6, 5, 4, 3, 2 and 1 for six miles until just west of Fox Lake. The route continues east through the middle of Section 6 of Manyaska Township in Section 6 for one mile. The route then deviates from the existing Lakefield to Border 161 kV transmission line, continues east into Section 5 for approximately 0.3 mile and continues east before turning south across Interstate 90 and then east along the south side of the Interstate for 1.7 miles through Sections 5 and 4 of Manyaska Township.

The existing ITC Midwest 69 kV Fox Lake to Fairmont transmission line currently located north of 125th Street would be removed from this location and would be co-located with the new 345 kV transmission line along the new route south of Interstate 90. At the border between Sections 4 and 3 of Manyaska Township, the route crosses to the north side of Interstate 90 and 125th Street, before turning east for approximately 0.8 mile. The route continues east, north, and northeast along the existing ITC Midwest 69 kV Fox Lake to Fairmont transmission line for approximately 1.3 miles through Sections 3 and 2 of Manyaska Township and Section 35 of Fox Lake Township, crossing over an existing Union Pacific Railroad line and 110th and 120th Avenues. In Section 35 of Fox Lake Township, the route A continues north and separates from the existing 69 kV transmission line where it turns east. The route continues north in Section 35 of Fox Lake Township for approximately 0.5 mile crosses into Section 26 at 140th Street where it turns east. The route continues east along the border of Sections 26/35 and 25/36 along 140th Street for 1.5 miles where it reaches 130th Avenue, and turns to the north. The route continues north along 130th Avenue for approximately 2.5 miles through Sections 30, 19, and 18 of Frasier Township where it rejoins the existing Lakefield to Border 161 kV transmission line.

The route turns east along field lines through the center of Sections 18, 17, 16, 15, 14, and 13 of Frasier Township for approximately 5.5 miles. In Section 17, the existing 161 kV line is proposed to be relocated with the new 345 kV for approximately 1,000 feet; and in 1,500 feet in Section 15. In the middle of Section 13 of Frasier Township, the route turns south, deviating from the existing Lakefield to Border 161 kV transmission line that extends across Lake Charlotte. The route continues south along a field line for 0.5 mile where it turns east along 160th Street. The route continues east along of 160th Street for approximately 0.5 mile until crossing 190th Avenue and into Rutland Township.

In Rutland Township, the route continues along 160th Street and along the existing Great River Energy FE-RU 69 kV transmission line as it continues east for approximately 2.2 miles between Sections 18 and 19, and 17 and 20 of Rutland Township. Along this section, the route width is expanded to approximately 1,200 feet and the existing line is proposed to be relocated slightly for approximately 1,100 feet along 160th Street. As the route crosses between Sections 16 and 21 of Rutland Township, it is no longer co-located with the existing 69 kV transmission line. The route continues east along 160th Street for 0.5 mile where it turns north along a field line for approximately 0.5 mile before turning east and rejoining with the existing Lakefield to Border 161 kV transmission line in Section 16 of Rutland Township. From Section 16 into Section 15 of Rutland Township, the route width is expanded to approximately 1,400 feet and the existing 161 kV line is proposed to be relocated slightly for approximately 1,600 feet just west of 220th Avenue/State Highway 15.

The route crosses State Highway 15 and continues east along field lines for 3.5 miles through Sections 16, 15, 14, and 13 of Rutland Township before entering Center Creek Township, crossing 230th and 240th Avenues and Judicial Ditch Number Three. The route continues east for approximately one mile, crossing 255th Avenue and County Highway 53 (260th Avenue) in Section 18 of Center Creek Township. It continues east for an additional five miles along field lines through Sections 17, 16, 15, 14, and 13, of Center Creek Township, crossing 265th, 280th, 288th, 290th (County Road 159), 293rd (County Highway 59), and 298th Avenues before reaching the Faribault County line. In this area, the route also crosses Judicial Ditches One, Twenty-Eight, and Forty. The route also crosses a Canadian Pacific rail line in the middle of Section 13 of Center Creek Township.

3.3 Lakefield Junction to Huntley – Faribault County

From the Martin/Faribault County border, the route extends northeast into Verona Township through Sections 18, 17, 9/16, and 10/15 for approximately 3.2 miles, still co-located with the existing Lakefield to Border 161 kV transmission line. The route then turns south along a field line in Section 15 of Verona Township to 160th Street. At this point the existing 161 kV line that continues east to the existing Huntley substation site would be removed and collocated with the new 345 kV line. At 160th Street, Modified Route A turns east and continues along the north side of the road between Sections 15/22 and 14/23 of Verona Township for approximately 1.3 miles to the new Huntley substation site.

3.4 Huntley to Iowa Border – Faribault County

Just south of the Huntley Substation in Section 23 of Verona Township, the route includes a wider triangular-shaped area measuring 2,200 feet at its widest along the southern boundary of the new Huntley substation to accommodate positioning of the circuits into the substation. From the new Huntley substation, the route extends south along the existing Lakefield to Border 161 kV transmission line for approximately 0.3 mile where it turns southwest along the west bank of the Blue Earth River in Section 23 of Verona Township. The route then continues south and then southeast, reconnecting with the existing Lakefield to Border 161 kV transmission line approximately 0.4 mile (approximately 400 feet) before 150th Street. This area is approximately 0.9 mile long through Section 23 in Verona Township and has an expanded route width of approximately 2,200 feet. The existing Lakefield to Border 161 kV transmission line will be moved from its current alignment in Section 23 to follow the new route in this area. The route then continues south along the existing line for approximately two miles in Verona Township, Sections 23, 26, and 35. It crosses 160th, 150th, 140th, and 130th (County Highway 8) Streets, as well as South Creek in several locations.

The route continues south approximately two miles along field lines into Jo Daviess Township through Sections 2 and 11, crossing Interstate 90, 120th Street, County Ditch Number Sixty, and 115th Street. After crossing 115th Street, the route follows 355th Avenue for 0.5 mile, crossing a rail line and extending to 110th Street (County Highway 16). The route then continues south from 110th Street along the existing 161 kV line for two miles, through Sections 14 and 23 Jo Daviess Township, crossing 100th Street and Little Badger Creek. The route deviates from the existing 161 kV Lakefield to Border transmission line and turns southeast as it crosses 90th Street (County Highway 6). The route continues south and then back west to join with the existing 161 kV line. A portion of the existing 161 kV line would be relocated in Section 26 of Jo Daviess Township to move it farther from a home for approximately 1,000 feet where the new route crosses 85th Street. The route continues south along the existing Lakefield to Border 161 kV Transmission Line and field lines for approximately 1.3 miles through Sections 26 and 35 of Jo Daviess Township, crossing 80th and 70th Streets.

The route enters Pilot Grove Township in Section 2, and extends south, continuing along field lines and co-locating with the existing Lakefield to Border 161 kV transmission line, through the Pilot Grove Lake WPA and Sections 11, 14 and 23. The route crosses 60th, 50th, 40th, and 30th Streets, and follows Judicial Ditch Number Seven for 0.3 mile before crossing it in Section 23. The route turns east along 30th Street between Sections 23 and 26 of Pilot Grove Township, continuing to follow the existing Lakefield to Border 161 kV transmission line for approximately 0.5 mile before turning south along 360th Avenue and the existing line. The route continues south to the Iowa border along the existing Lakefield to Border 161 kV transmission line through Sections 26, 25, 35 and 36 of Pilot Grove Township crossing the West Branch of the Blue Earth River (Section 36) before reaching the Minnesota/Iowa border at the intersection of 510th Street (Minnesota) and 160th Avenue (Iowa). Between Section 35 and 36, the existing Lakefield to Border 161 kV transmission line is proposed to be relocated slightly for approximately 1,400 feet.

3.5 Transmission Line Reconfiguration between Winnebago Junction and Huntley Substations

The proposed construction configuration of the associated facilities will occur within a 500-foot route width between the Winnebago Junction substation and the Huntley substation and a 500-foot route width approximately 0.4 mile long along 170th Street. The existing Rutland—Winnebago Junction transmission line will be removed from Sections 11 and 10 of Verona Township. The existing Blue Earth—Winnebago Junction transmission line will be removed in Section 11 of Verona Township between 170th Street and the Winnebago Junction substation (See route maps 2 and 2A).

4.0 RIGHT-OF-WAY

The approved rights-of-way for the Project are as follows:

- 345 kV single-circuit structures, 161/345 kV double-circuit structures, and 69/161/345 kV triple-circuit structures shall be constructed and maintained within a 150-foot right-of-way. The Permittee will have vegetation management rights and will prohibit placement of other structures within the 150-foot right-of-way. The Permittee may trim or remove trees that pose a threat to the transmission facility within the 25-foot area adjacent to and on either side of the 150-foot right-of-way in accordance with the Vegetation Management Plan.

- 345 kV/161 kV double-circuit structures that cross through the Pilot Grove Lake Waterfowl Production Area shall be constructed and maintained within the existing 100-foot right-of-way.

- 161 kV/161 kV double-circuit capable and 161 kV single-circuit structures shall be constructed and maintained within a 100-foot right-of-way. The Permittee will have vegetation management rights and will prohibit placement of other structures within the 100-foot right-of-way. The Permittee may trim or remove trees that pose a threat to the transmission facility within the 25-foot area adjacent to and on either side of the 100-foot right-of-way in accordance with the Vegetation Management Plan.

- The Permittee shall utilize its existing rights-of-way associated with the existing single circuit 161 kV transmission line being replaced to the greatest extent possible.

This permit anticipates that the right-of-way will generally conform to the alignment identified on the attached route permit maps unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or are otherwise provided for by this permit.

Any alignment modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the alignment identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this permit.

Where the transmission line route parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible, consistent with the criteria in Minn. R. 7850.4100, the other requirements of this permit, and for highways under the jurisdiction of the Minnesota Department of Transportation (Mn/DOT) rules, policies, and procedures for accommodating utilities in trunk highway rights-of-way.

5.0 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction of the transmission line and associated facilities over the life of this permit.

5.1 Notification to Landowners

The Permittee shall provide all affected landowners with a copy of this permit and, as a separate information piece, the complaint procedures at the time of the first contact with the landowners after issuance of this permit. The Permittee shall contact landowners prior to entering the property or conducting maintenance along the route. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's Rights-of-Way and Easements for Energy Facility Construction and Operation fact sheet.[1]

5.2 Construction Practices

The Permittee shall follow those specific construction practices and material specifications described in ITC Midwest's Application to the Commission for a Route Permit for the Minnesota – Iowa 345 kV Transmission Project and Associated Facilities in Jackson, Martin, and Faribault Counties, dated March 28, 2013, unless this permit establishes a different requirement in which case this permit shall prevail.

5.2.1 Field Representative

At least 14 days prior to commencing construction, the Permittee shall advise the Commission in writing of the person or persons designated to be the field representative for the Permittee with the responsibility to oversee compliance with the conditions of this permit during construction.

[1] http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf

This person shall be accessible by telephone during normal business hours throughout right-of-way preparation, construction, cleanup, and restoration.

The field representative's address, phone number, emergency phone number, and email shall be provided to the Commission and shall be made available to affected landowners, residents, public officials and other interested persons. The Permittee may change the field representative at any time upon notice to landowners and the Commission.

5.2.2 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform all employees, contractors, and other persons involved in the transmission line construction of the terms and conditions of this permit.

5.2.3 Public Services, Public Utilities, and Existing Easements

During construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these would be temporary and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate transmission structure placement.

The Permittee shall work with the landowners, townships, cities, and counties along the route to accommodate concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.2.4 Temporary Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit.

Temporary driveways may be constructed between the roadway and the structures to minimize impact using the shortest route possible. Construction mats should also be used to minimize impacts on access paths and construction areas.

5.2.5 Noise

Construction and routine maintenance activities shall be limited to daytime working hours, as defined in Minn. R. 7030.0200, to ensure nighttime noise level standards will not be exceeded.

5.2.6 Site Sediment and Erosion Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

Where larger areas of one acre or more are disturbed or other areas designated by the MPCA, the Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit from the MPCA.

5.2.7 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the Project during construction and maintenance.

Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highway, or trail crossings and could cross roads to minimize or avoid impacts.

5.2.8 Vegetation Removal and Protection

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

5.2.9 Application of Herbicides

The Permittee shall restrict herbicide use to those herbicides and methods of application approved by the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. The Permittee shall contact the landowner or his designee to obtain approval for the use of herbicide prior to any application on their property. The landowner may request that there be no application of herbicides on any part of the right-of-way within the landowner's property. All herbicides shall be applied in a safe and cautious manner so as not to damage crops, orchards, tree farms, or gardens.

5.2.10 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

5.2.11 Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line.

Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

5.2.12 Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area.

Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

5.2.13 Archaeological and Historic Resources

The Permittee shall consult with the State Historic Preservation Office (SHPO) concerning the extent of a Phase I archaeological survey and appropriate mitigation measures for the Project. Permittee shall document and submit to the Commission the results of the consultation, including those portions of the Project that will be surveyed and the extent of the survey with the Construction Environmental Control Plan for the Project.

For those portions of the Project that are surveyed, Permittee shall submit, with the plan and profile for these portions, the results of the survey and all applicable avoidance and mitigation measures employed or to be employed.

Permittee shall inform construction personnel of known archaeological resources along the permitted route for the Project and of archaeological survey results. Permittee shall employ a monitor that reports to and communicates with the Environmental Monitor to identify and report archaeological resources encountered during construction of the Project and to coordinate with SHPO on appropriate mitigation measures.

5.2.14 Avian Mitigation

The Permittee's standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices.

The Permittee will consult with the Minnesota Department of Natural Resources regarding type and placement of bird diverters.

5.2.15 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.2.16 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.2.17 Damages

The Permittee shall fairly compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.3 Electrical Performance Standards

5.3.1 Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so that the maximum induced steady-state short-circuit current shall be limited to five milliamperes root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short-circuit current between ground and the object so as not to exceed one milliampere rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the NESC. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.3.2 Electric Field

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

5.3.3 Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittee shall take whatever action is feasible to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

5.4 Other Requirements

5.4.1 Applicable Codes

The Permittee shall comply with applicable NERC planning standards and requirements of the NESC including clearances to ground, clearance to crossing utilities, clearance to buildings, right-of way widths, erecting power poles, and stringing of transmission line conductors.

5.4.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the Project and comply with the conditions of these permits. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6.0 SPECIAL CONDITIONS

The Permittee shall provide a report to the Commission as part of the plan and profile submission that describes the actions taken and mitigative measures developed regarding the Project and the following special conditions. Special conditions shall take precedence over other conditions of this permit should there be a conflict.

6.1 Construction Environmental Control Plan

The Permittee shall develop a Construction Environmental Control Plan (CECP) that shall include all environmental control plans and special conditions imposed by permits or licenses issued by state or federal agencies related to agency-managed resources. Plans within the CECP shall include the Agricultural Impact Mitigation Plan, the Avian Mitigation Plan, the Vegetation Management Plan, and a Stormwater Pollution Prevention Plan. The CECP shall be filed with the Commission 30 days prior to submitting the plan and profile for any segment of the Project. The CECP shall include the following:

1. Identification of and contact information for an Environmental Monitor to oversee the construction process and monitor compliance with the Construction Environmental Control Plan and all plans therein.

2. A process for regular reporting on construction status and the results of construction inspection and monitoring to the Commission.

3. A process for reporting the status of permits and licenses or other approvals from local units of government, state agencies, or federal agencies for the Project to the Commission.

4. A process for internal tracking of construction management, including required plan or permit inspection forms.

6.2 Agriculture Mitigation Plan

The Permittee shall comply with the Agricultural Impact Mitigation Plan (AIMP) prepared for this Project and approved by the Minnesota Department of Agriculture. The Permittee shall distribute the AIMP with the route permit to all affected landowners in accordance with Section 5.1 of this permit.

6.3 Vegetation Management Plan

The Permittee shall develop a Vegetation Management Plan (VMP). The Permittee shall submit the VMP with the CECP and monitor compliance with the VMP in accordance with the procedures set forth in the VMP. The purpose of the VMP shall be to identify measures to minimize the disturbance and removal of vegetation for the Project, prevent the introduction of noxious weeds and invasive species, and re-vegetate disturbed non-cropland areas with appropriate native species in cooperation with landowners and state, federal, and local resource agencies, in such a way that does not negatively impact the safe and reliable operation of the Project. The VMP shall include:

1. Measures that will be taken to minimize vegetation disturbance and removal during construction of the Project to the extent that such actions do not violate sound engineering principles or system reliability criteria.

2. Measures that will be taken to prevent the introduction of non-native and invasive species.

3. Measures that will be taken to re-vegetate disturbed non-cropland areas with appropriate native species to the extent that such actions do not violate sound engineering principles or system reliability criteria.

4. Processes by which Permittee will identify landowner and resource agency preferences or requirements regarding vegetation management (e.g. no herbicide application, etc.) and how these preferences or requirements will be addressed.

5. Measures that will be taken to manage vegetation during operation and maintenance of the Project, including tall tree species within and outside of the permitted right-of-way that endanger the safe and reliable operation of the transmission line, in accordance with this permit and any local, state, or federal permits, licenses, or approvals.

6.4 Avian Mitigation Plan

The Permittee shall develop an avian mitigation plan (AMP). The Permittee shall submit and implement the plan in accordance with the CECP for the Project. The Purpose of the AMP shall be to identify site-specific risks to avian species from the Project and to identify and implement strategies to avoid and mitigate potential impacts to these species, including but not limited to, the use of bird flight diverters. The AMP shall include and document Permitee's consultation with the DNR and the U.S. Fish and Wildlife Service (USFWS) in the development of the AMP.

6.5 Des Moines River Crossing

The Permittee shall consult with the DNR regarding the feasibility of mitigation measures for the crossing of the Des Moines River, and shall jointly determine with the DNR the alignment and mitigation measures that best mitigate avian impacts and impacts to the Oak- Basswood forest at the Des Moines River crossing. The Permittee shall document this consultation and the alignment and mitigation measures agreed upon by the Permittee and the DNR for the crossing. The Permittee shall submit this information with the plan and profile for this section of the Project.

7.0 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8.0 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9.0 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1 Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the Project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

9.2 Periodic Status Reports

The Permittee shall report to the Commission on progress regarding finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly.

9.3 Notification to Commission

At least three days before the line is to be placed into service, the Permittee shall notify the Commission of the date on which the line will be placed into service and the date on which construction was complete.

9.4 As-Builts

Within 60 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the Project.

9.5 GPS Data

Within 60 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

10.0 PERMIT AMENDMENT

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

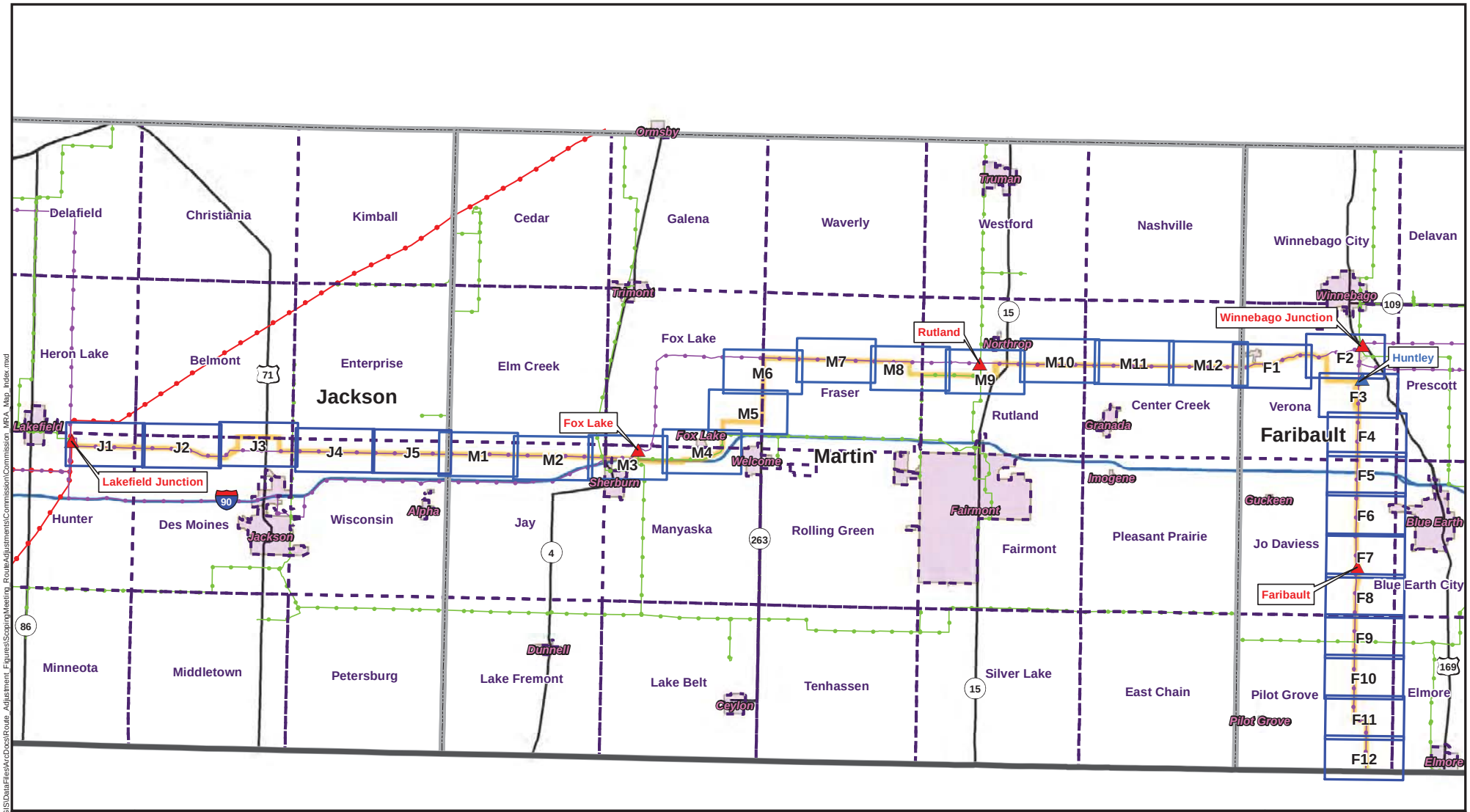
11.0 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.

The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12.0 REVOCATION OR SUSPENSION OF THE PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.



ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

Modified Route A
Map Index

Source: MN Geo 2011 Aerials; National Hydrography Datase; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014

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NORTH

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Feet

Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
Existing 161 kV Lines
Existing 345 kV Lines
Line to be Removed
Civil Township
Township Sections
County Boundary
State Boundary
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WPA
WRP

Jackson County

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Minnesota to Iowa
345 kV Transmission Project

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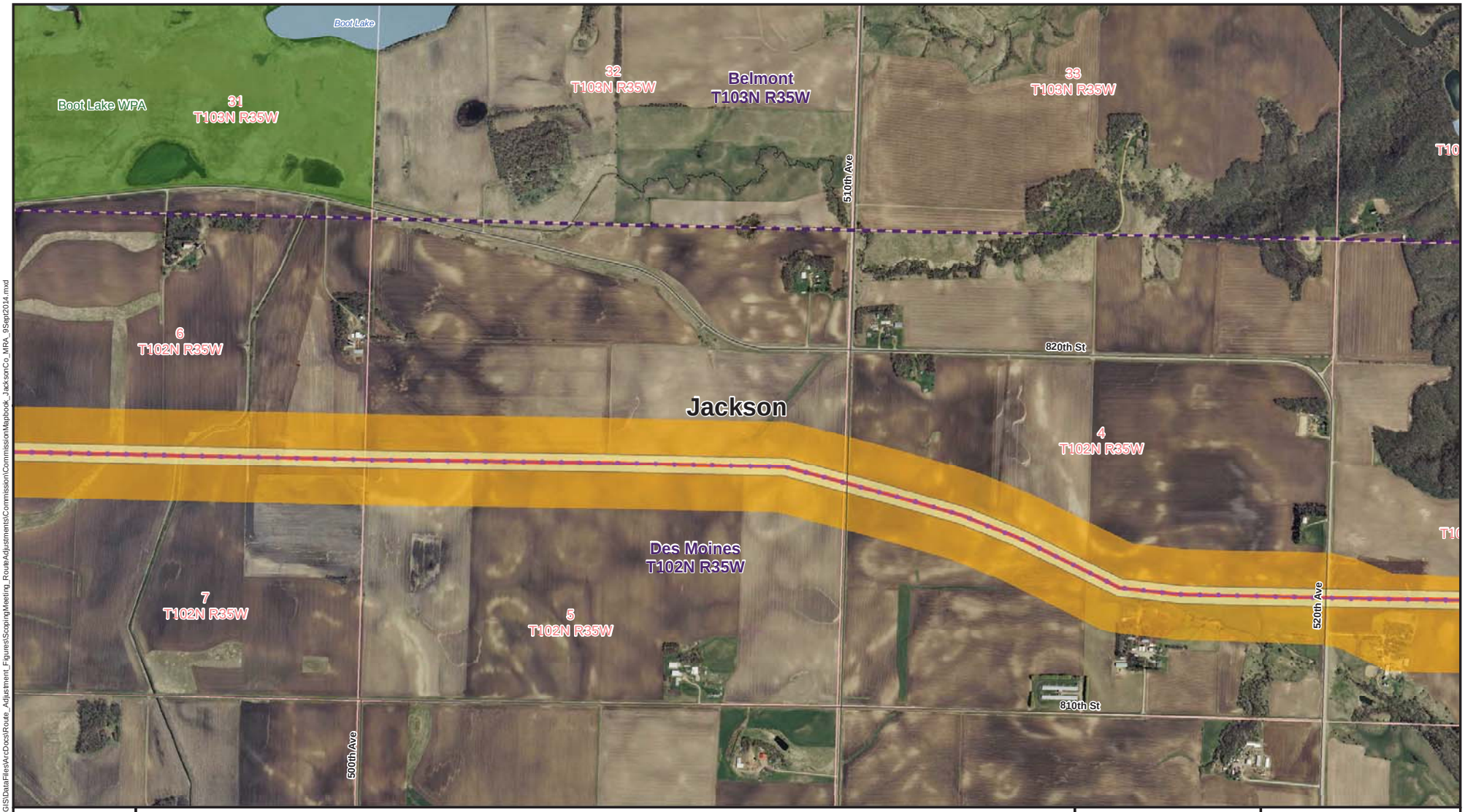
Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014



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Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
Existing 161 kV Lines
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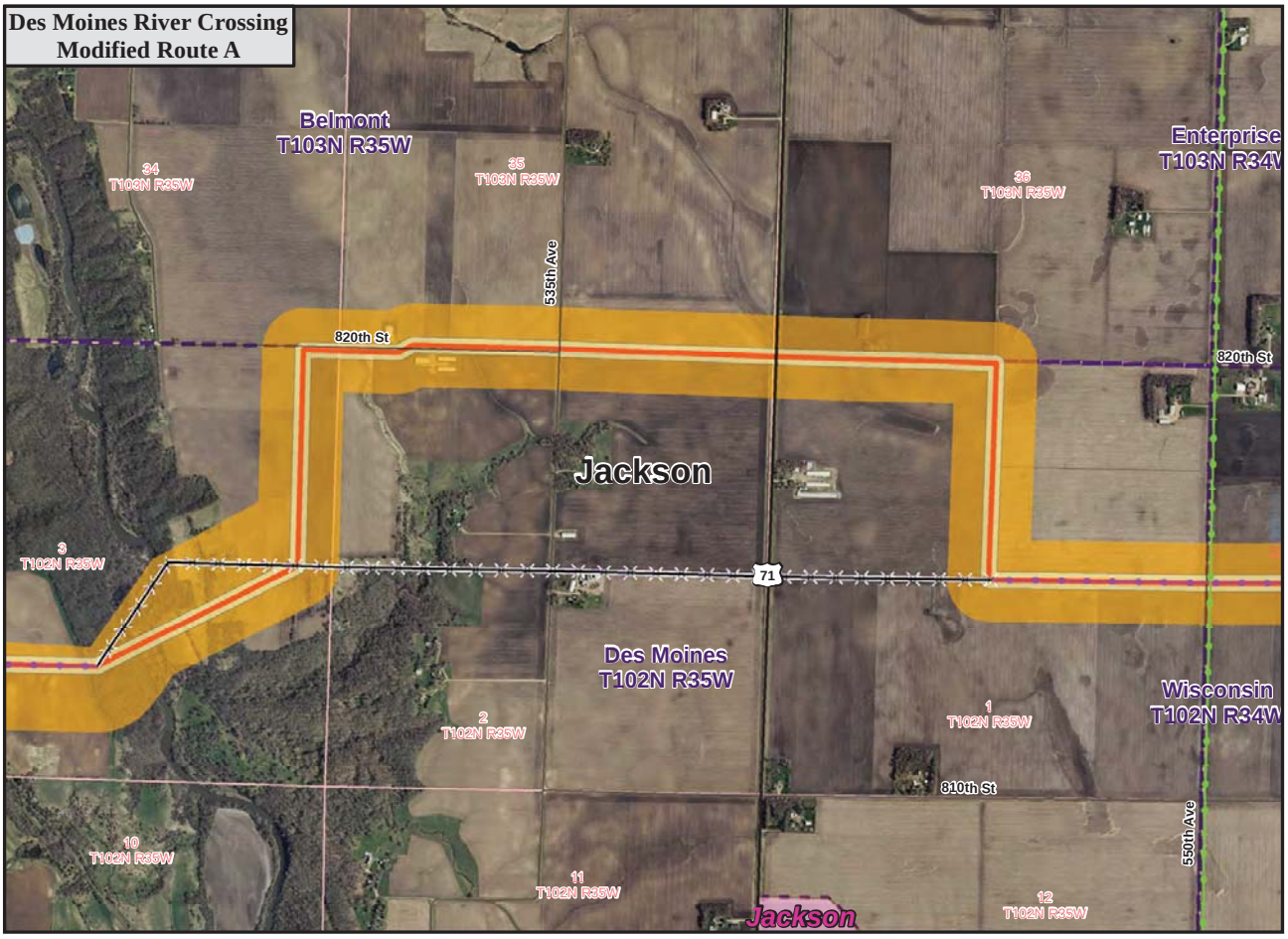
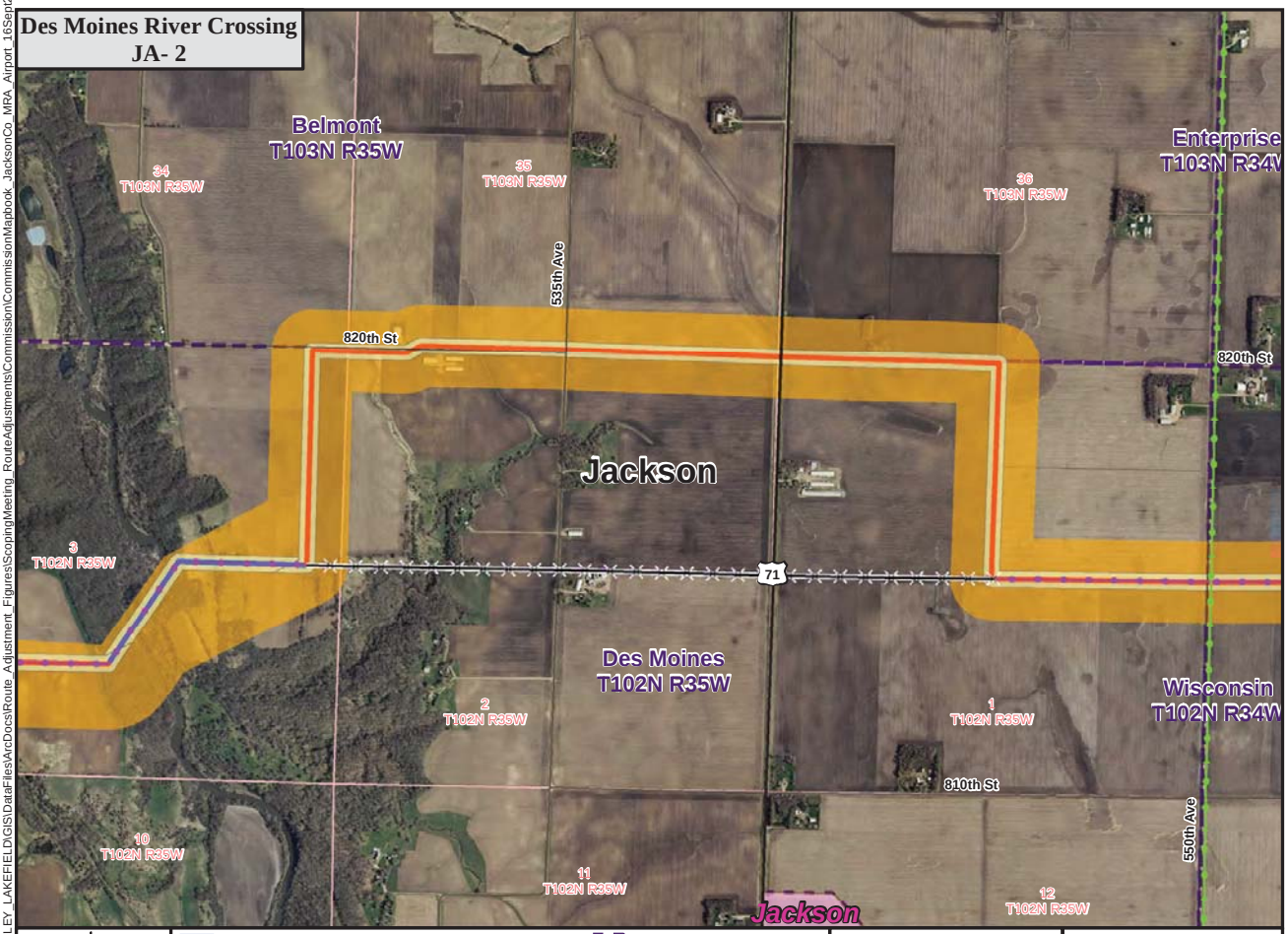
Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014





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Proposed Substation/Expansion
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Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
JA-2- Alignment
Existing 69 kV Lines
Existing 161 kV Lines
Existing 345 kV Lines
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ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

Modified Route A with JA-2
Jackson County
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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

Issued: 9/19/2014

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Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
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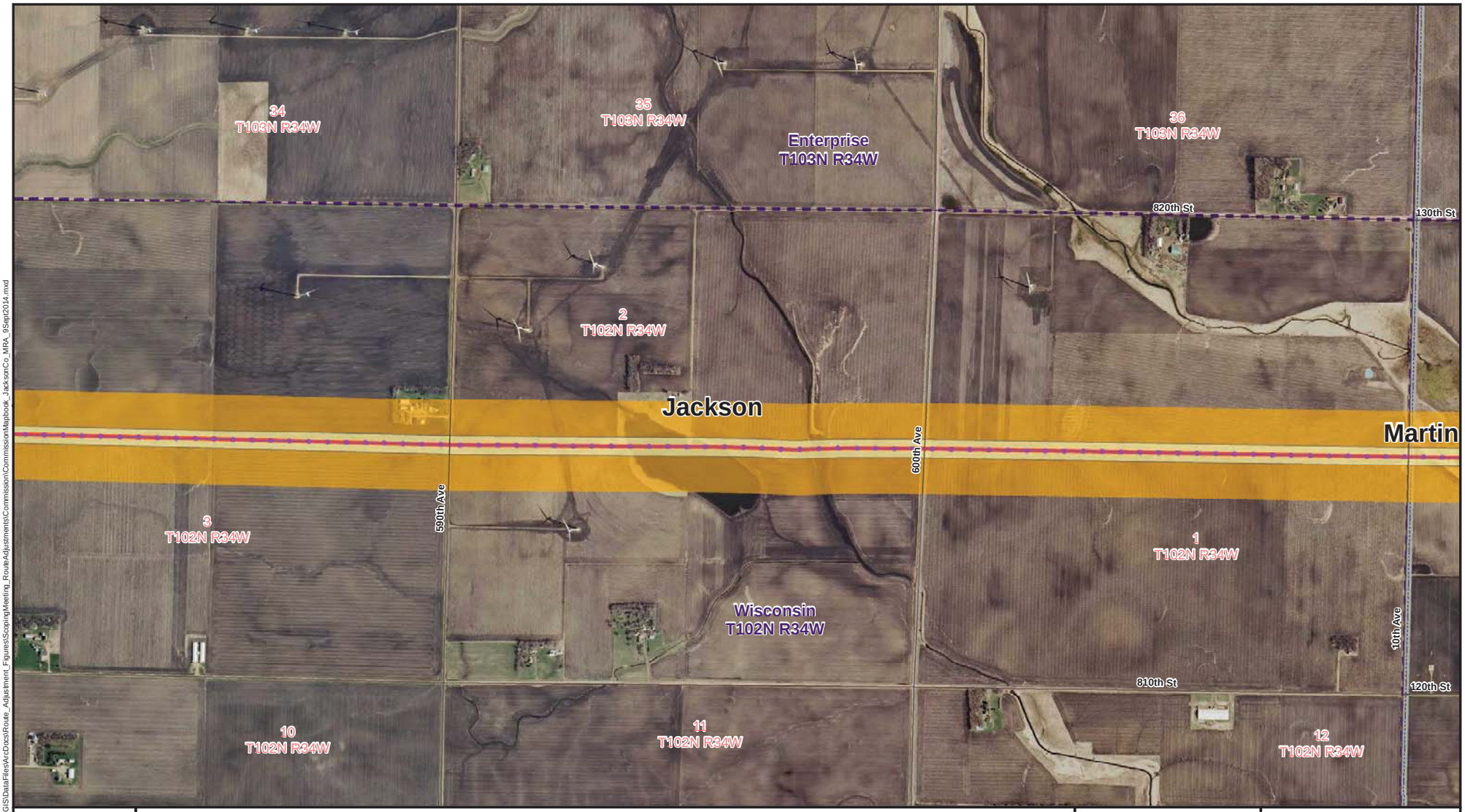
Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014



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Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
Existing 161 kV Lines
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Minnesota to Iowa
345 kV Transmission Project

Modified Route A
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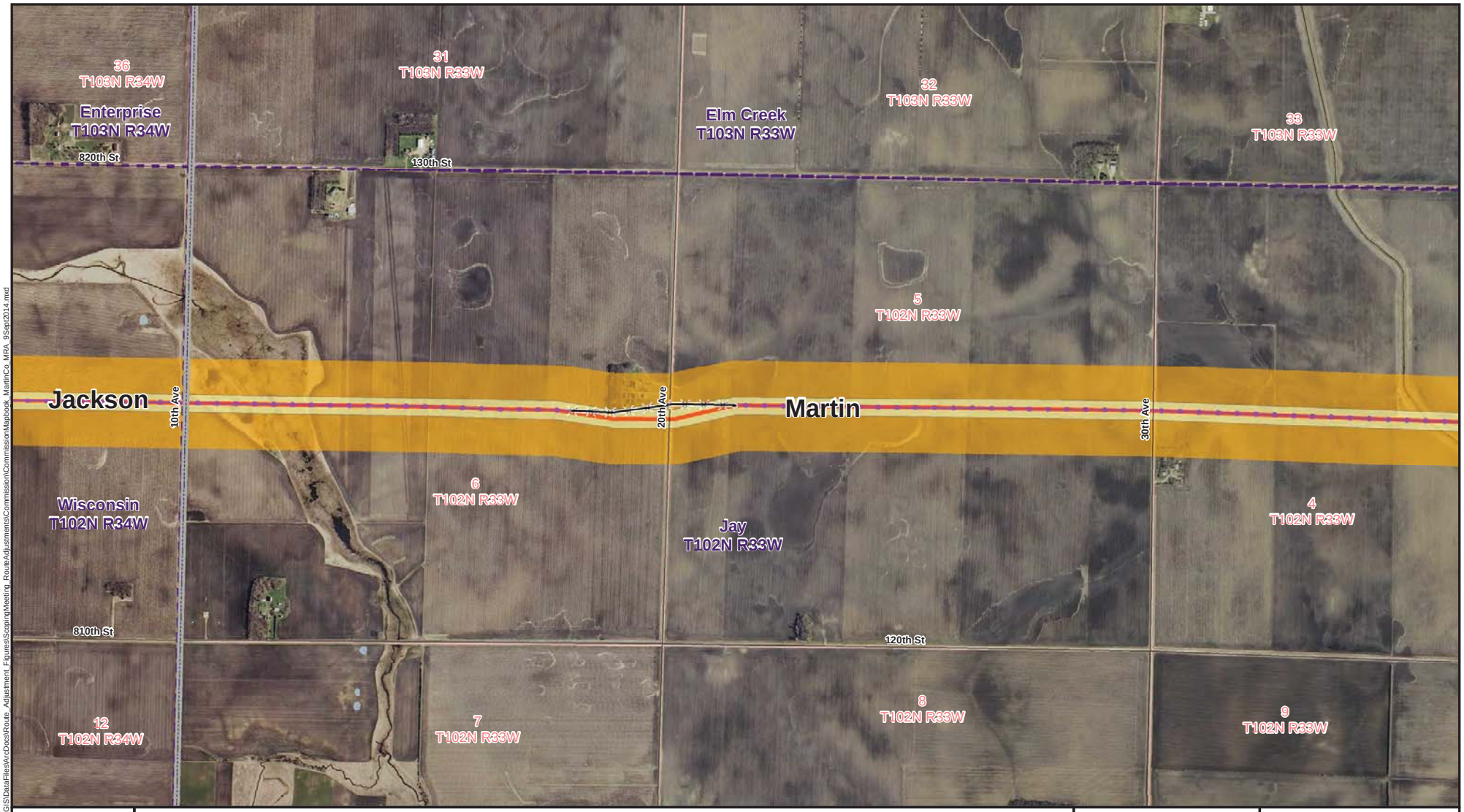
September 19, 2014



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Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
Existing 161 kV Lines
Existing 345 kV Lines
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Martin County

Map Index

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Minnesota to Iowa
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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

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NORTH

0 500 1,000
Feet

Proposed Substation/Expansion
Existing Substation Area
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Existing 161 kV Lines
Existing 345 kV Lines
Line to be Removed
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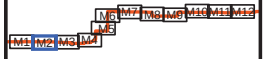
Township Sections
County Boundary
State Boundary
City
WMA
WPA
WRP

Martin County



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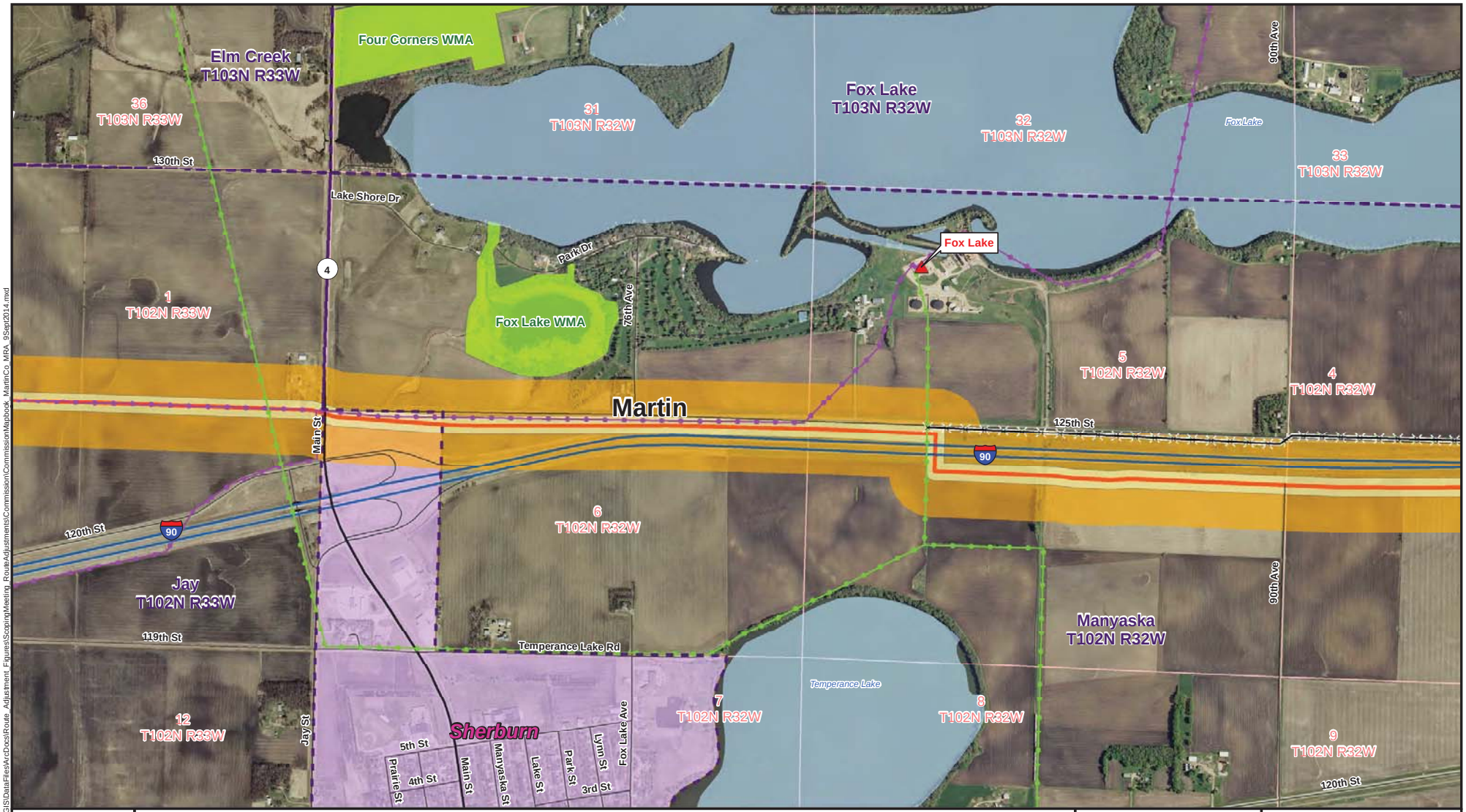
September 19, 2014



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Feet

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Modified Route A
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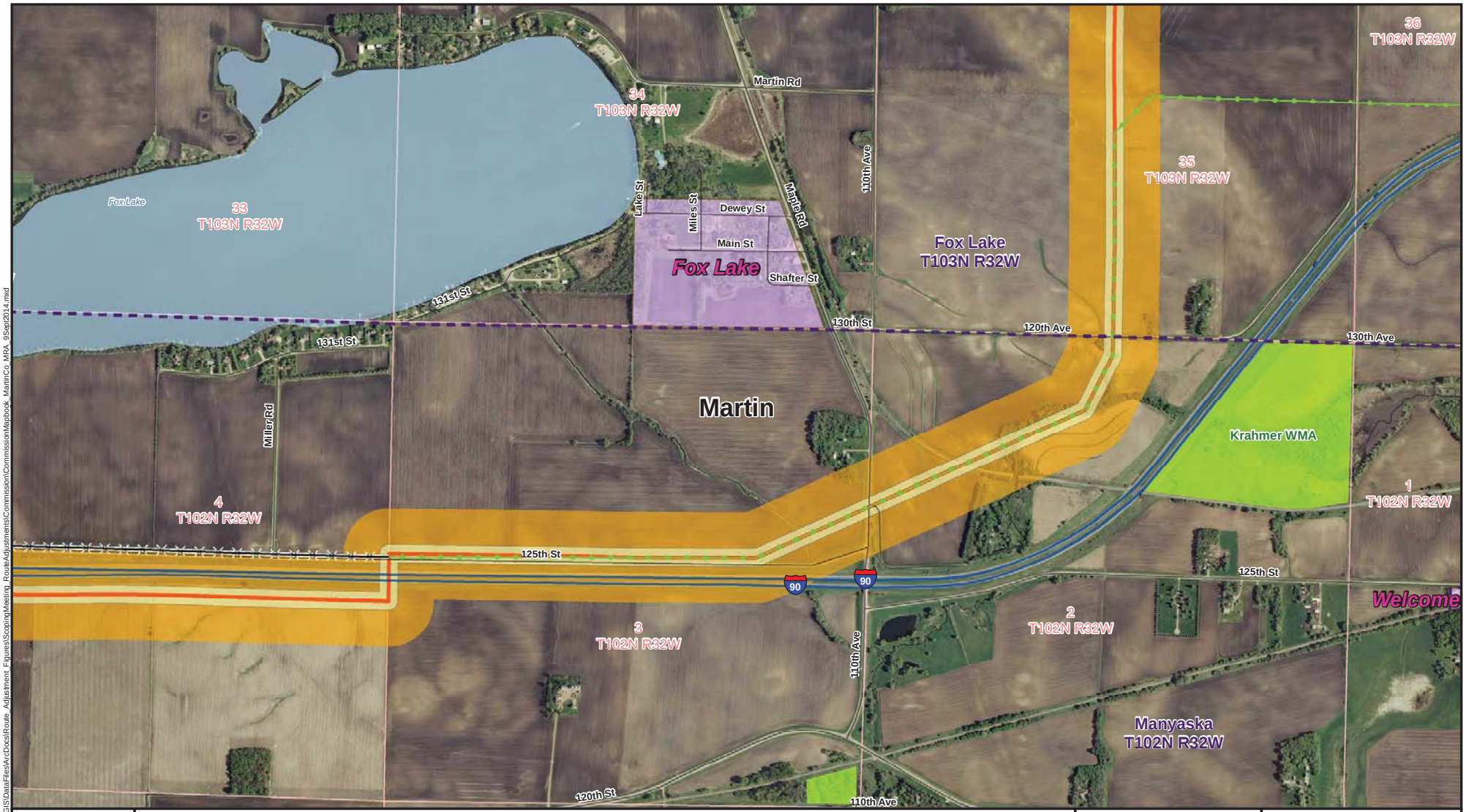

NORTH

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Feet

Proposed Substation/Expansion
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Feet

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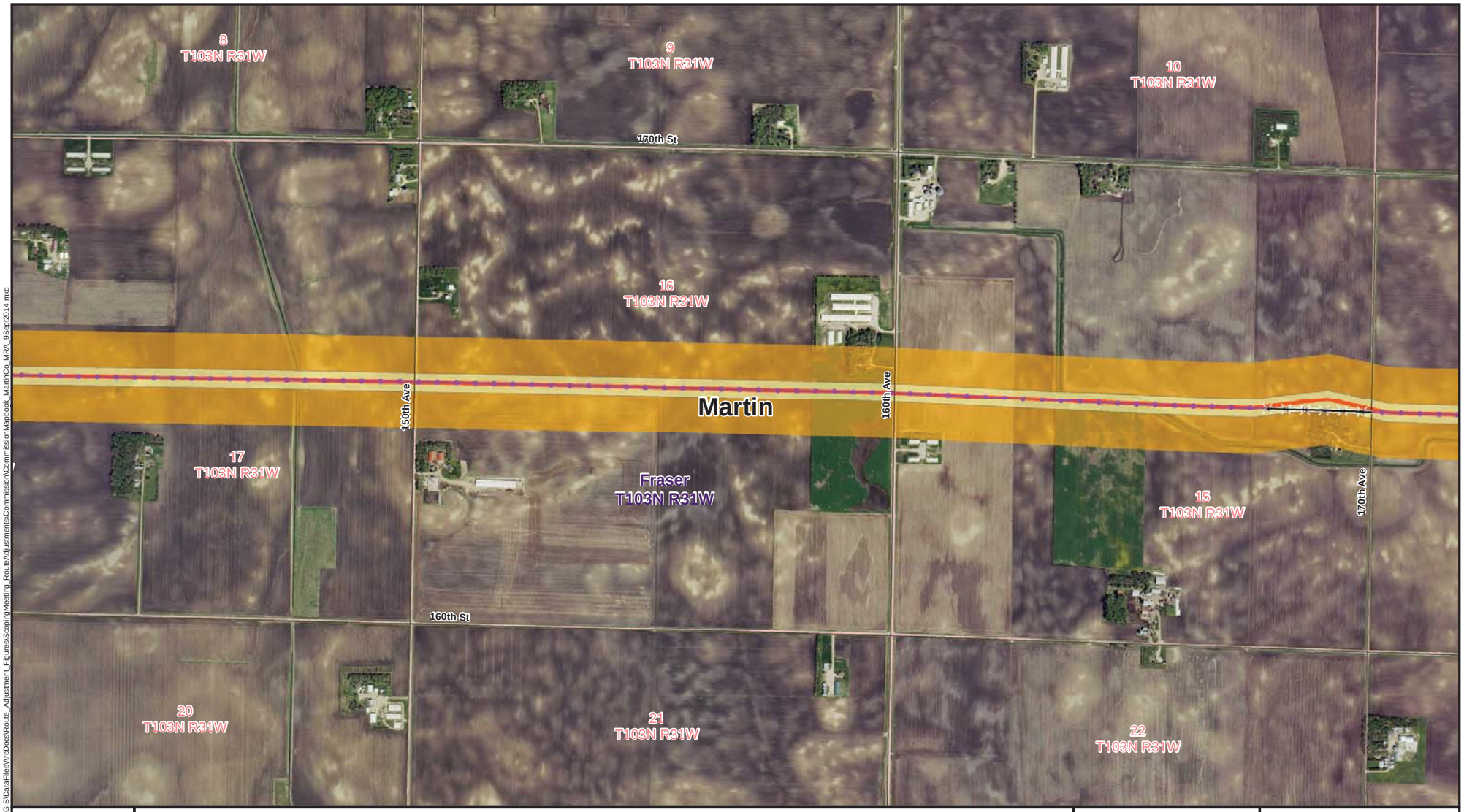

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Proposed Substation/Expansion
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Substation to be Removed
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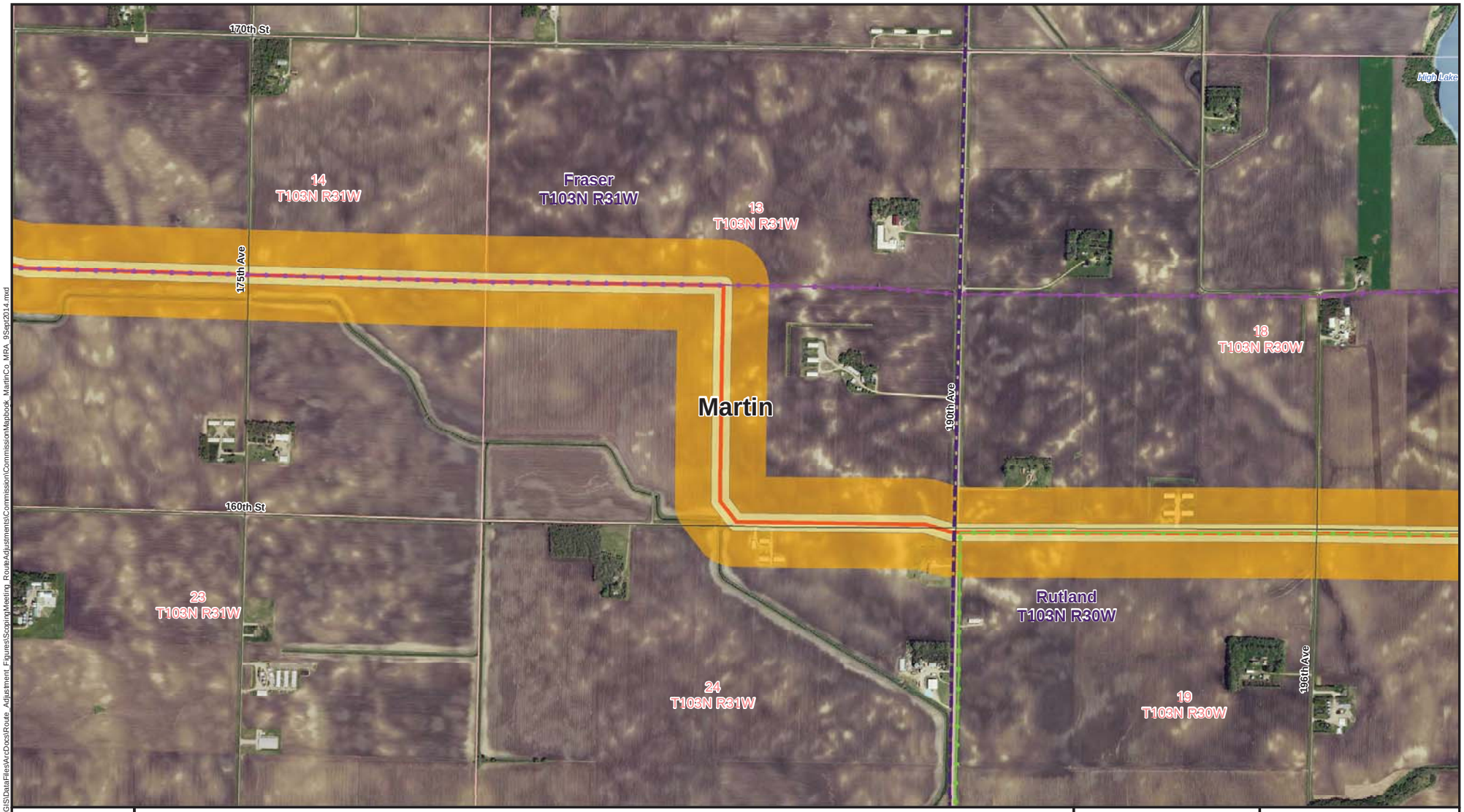

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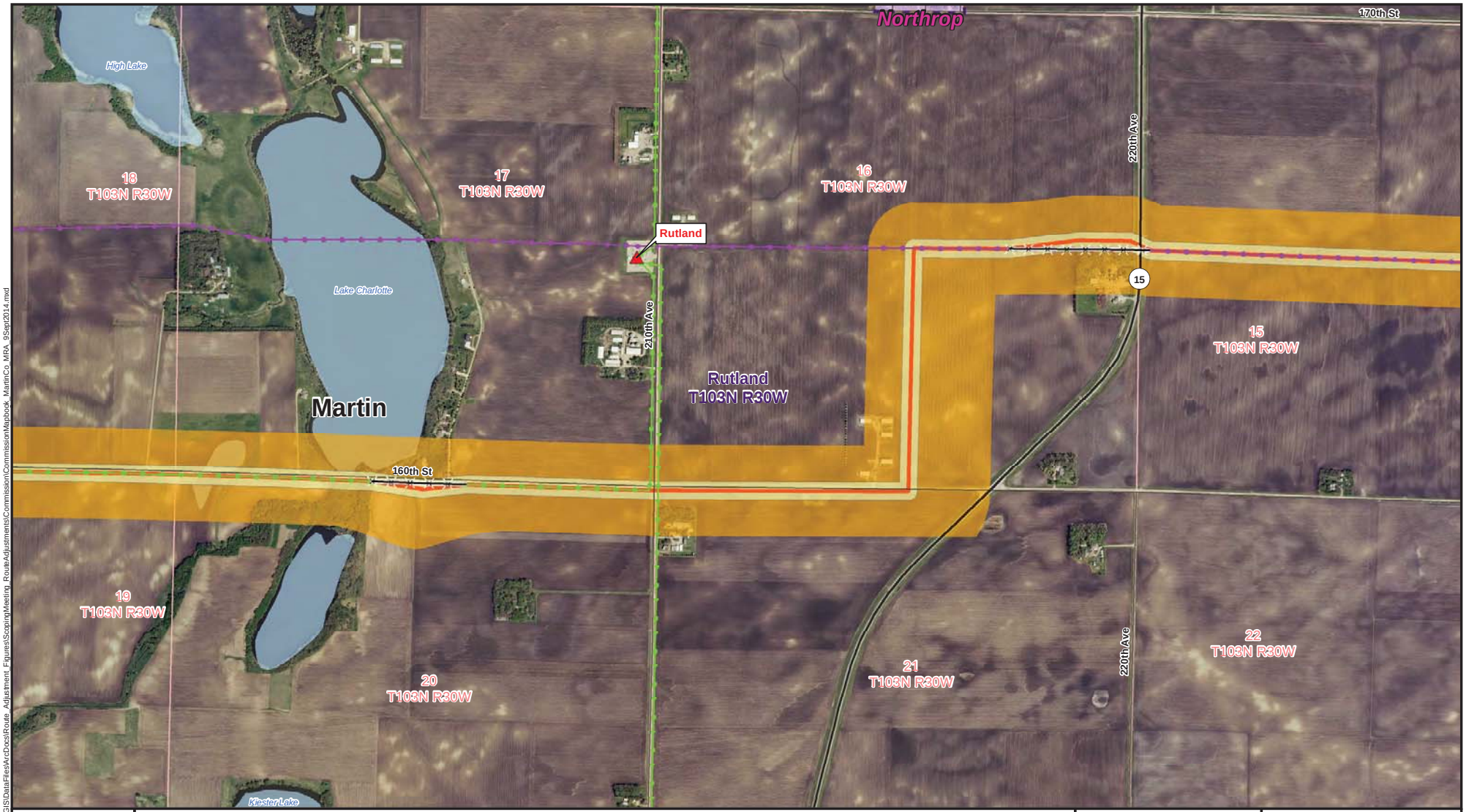

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Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
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Associated Facilities
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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

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NORTH

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Feet

Proposed Substation/Expansion
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Existing 345 kV Lines
Line to be Removed
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County Boundary
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WPA
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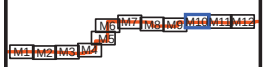
Martin County



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Minnesota to Iowa
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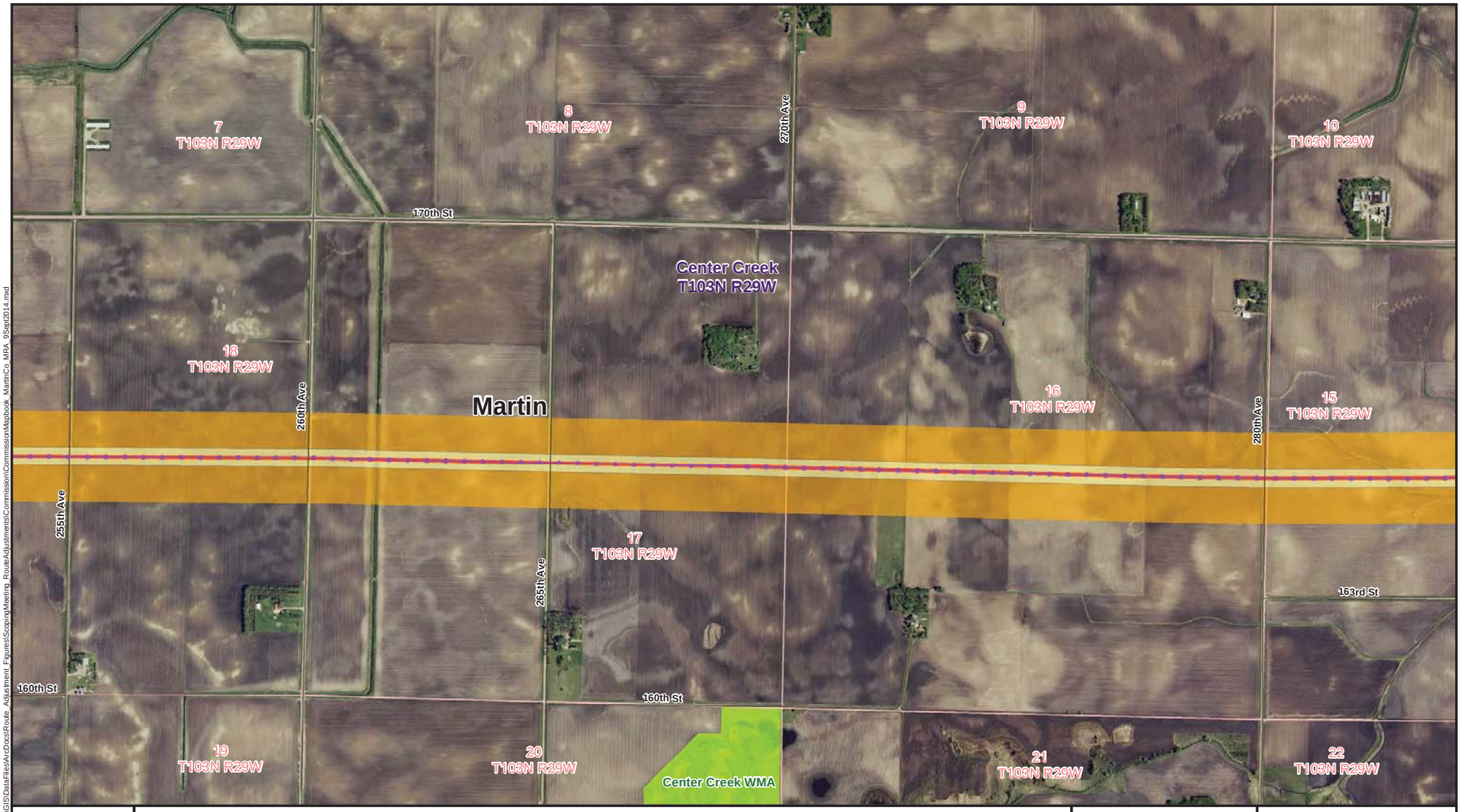

NORTH

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Feet

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Substation to be Removed
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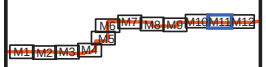

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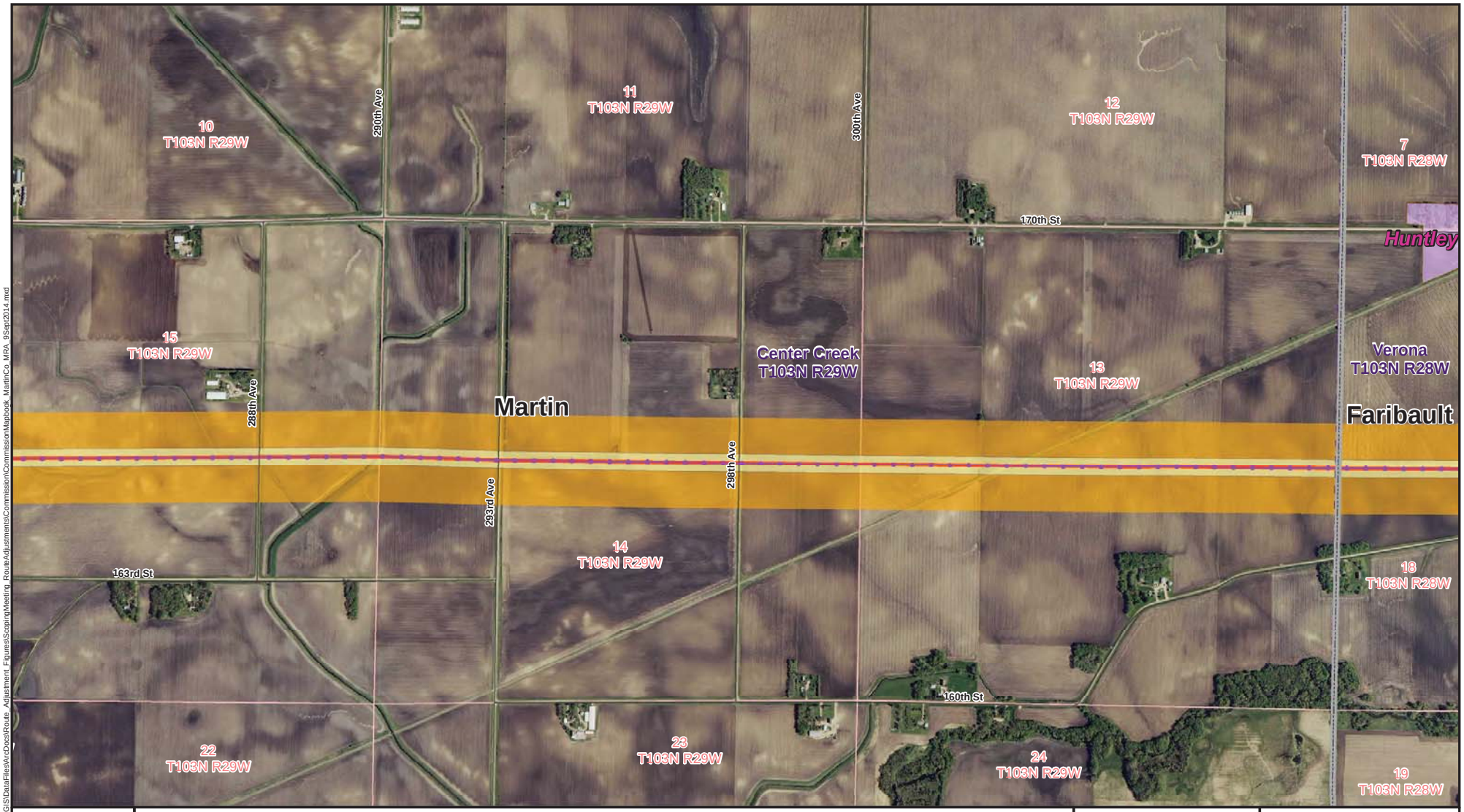

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Feet

Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

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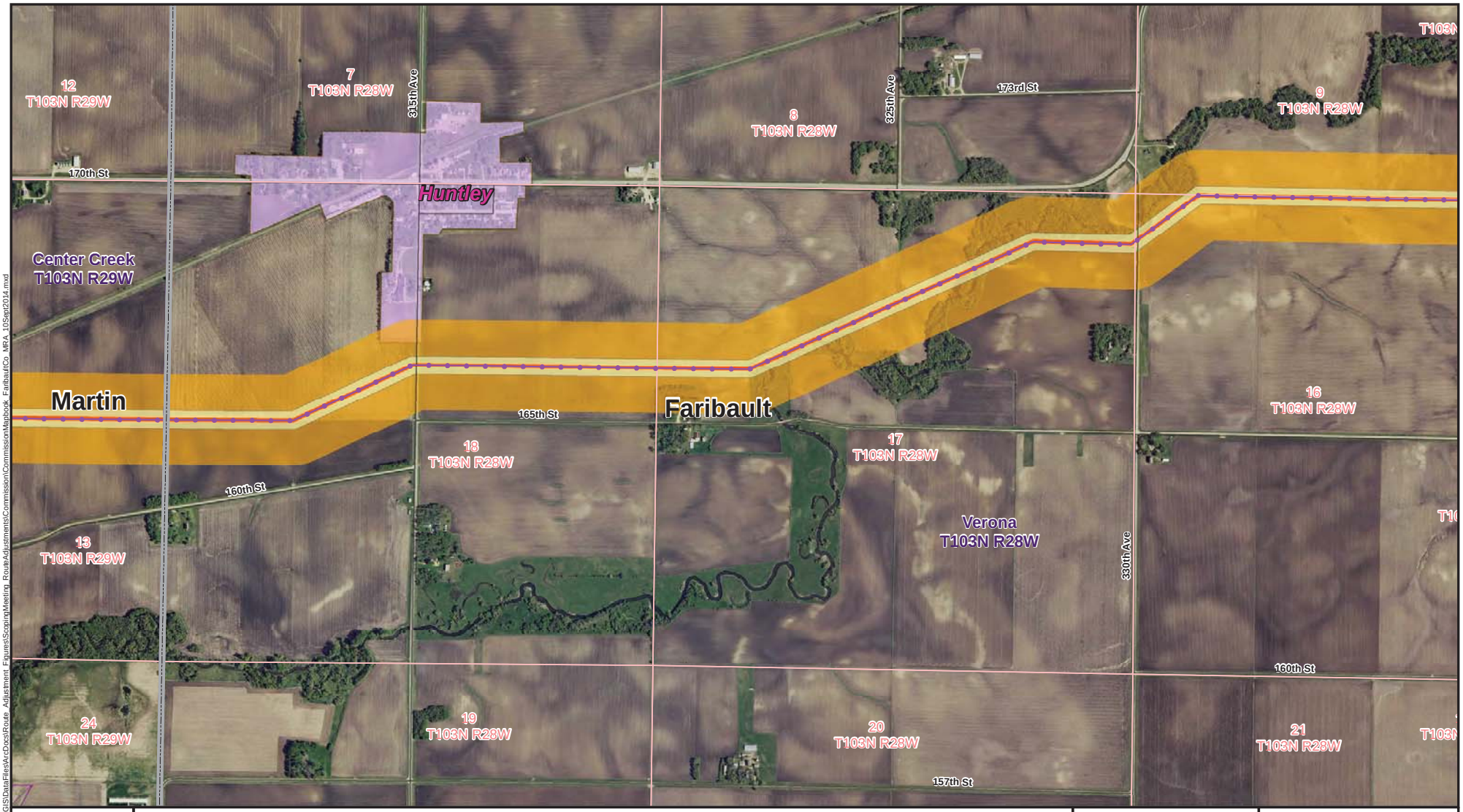

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Proposed Substation/Expansion
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Substation to be Removed
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Modified Route A
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Associated Facilities
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Minnesota to Iowa
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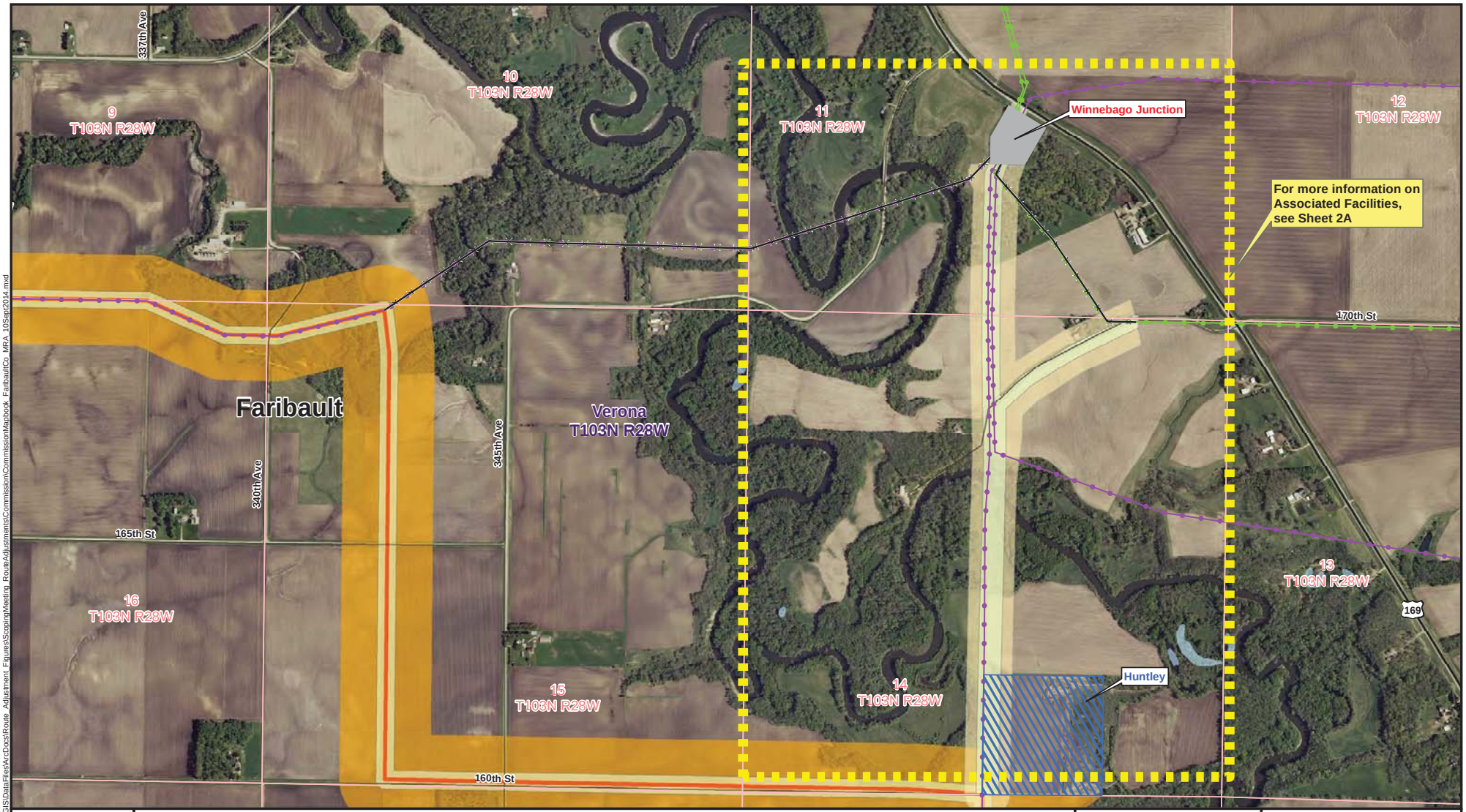
September 19, 2014



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Proposed Substation/Expansion
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Modified Route A
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Associated Facilities
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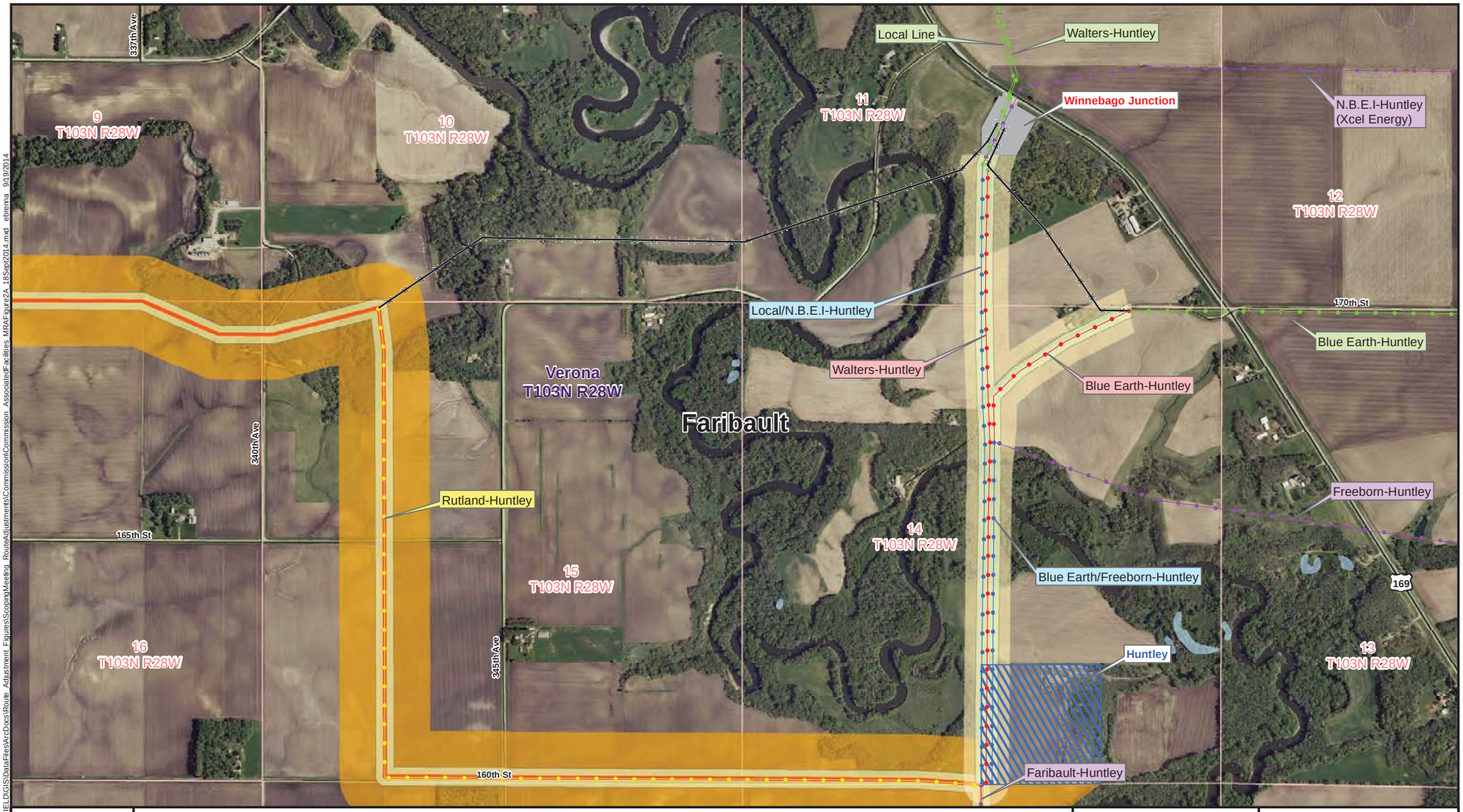

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Feet

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Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
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Associated Facilities
161 kV
69 kV
New 69 kV Built to 161 kV Standards
New Double Circuit 161/69 kV
New Double Circuit 345/161 kV
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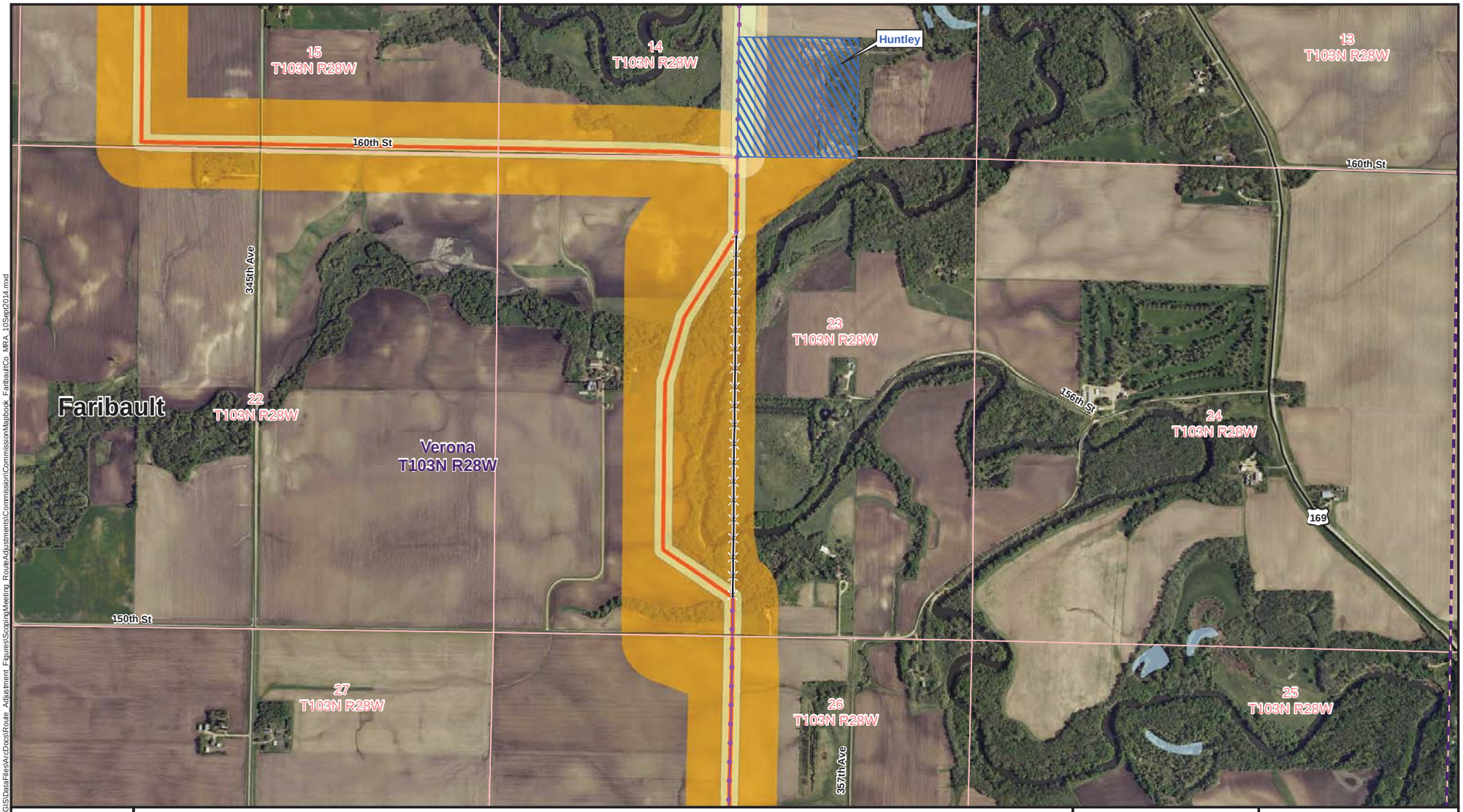

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Proposed Substation/Expansion
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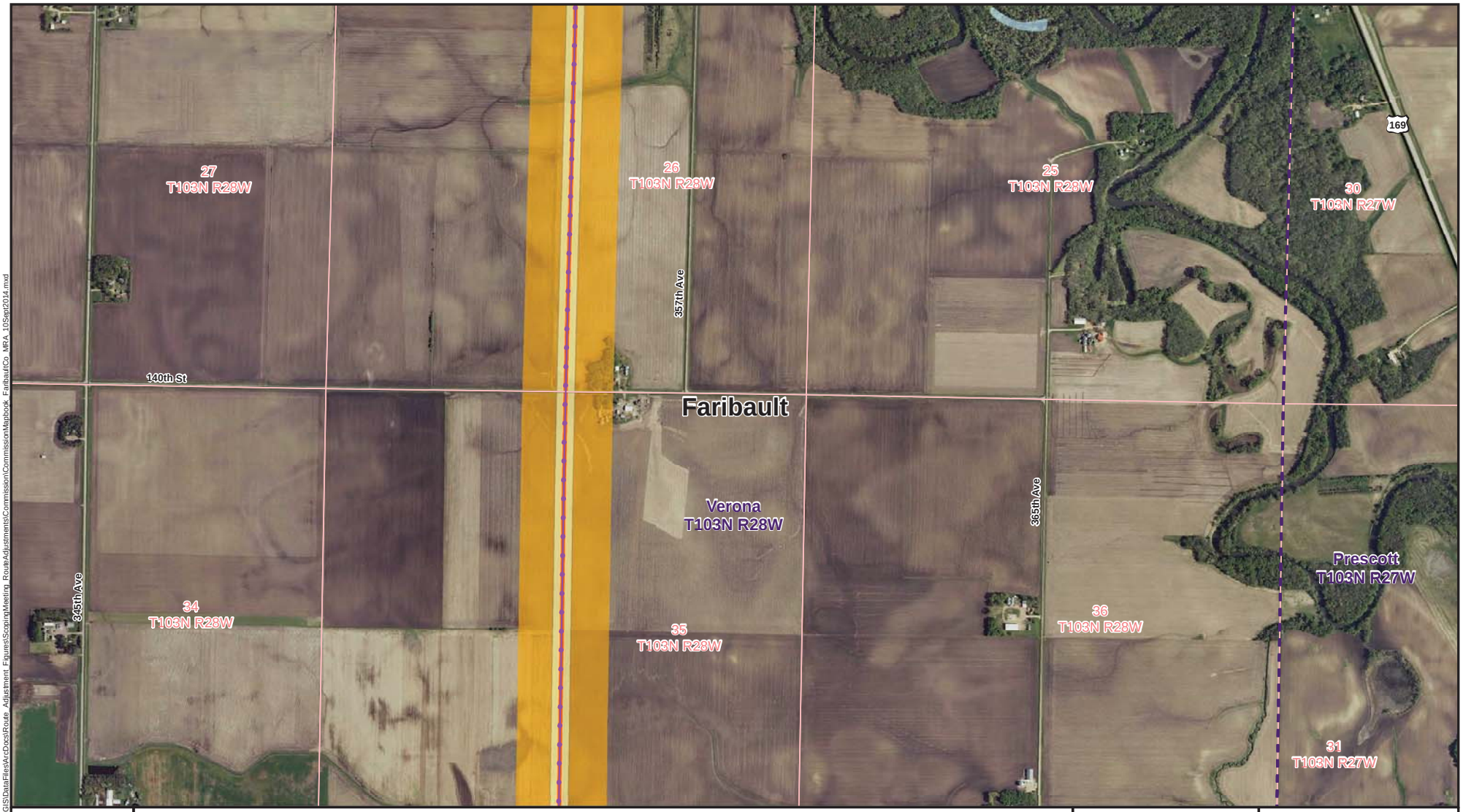

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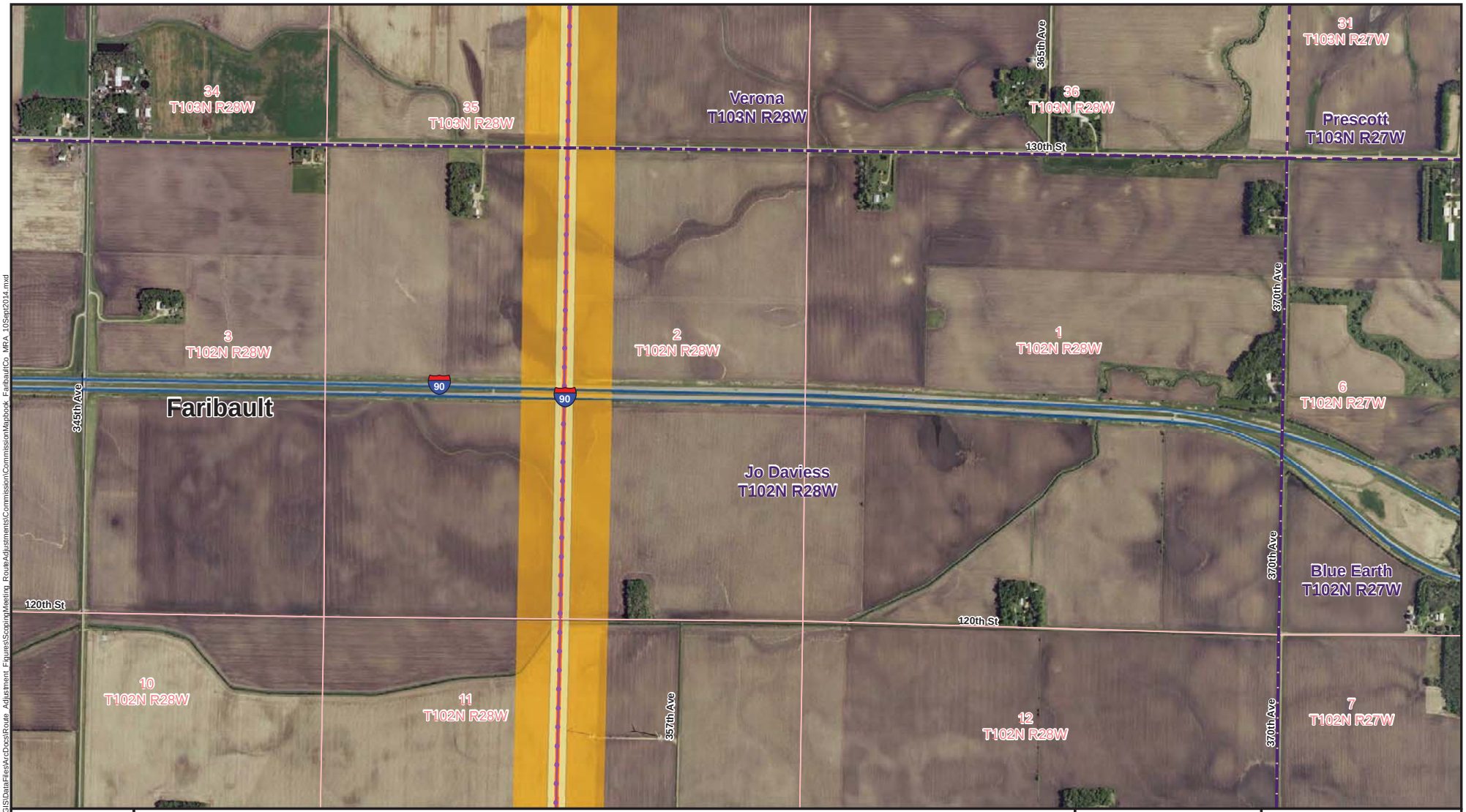

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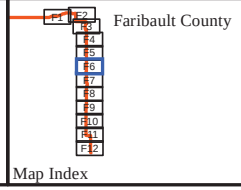

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Minnesota to Iowa
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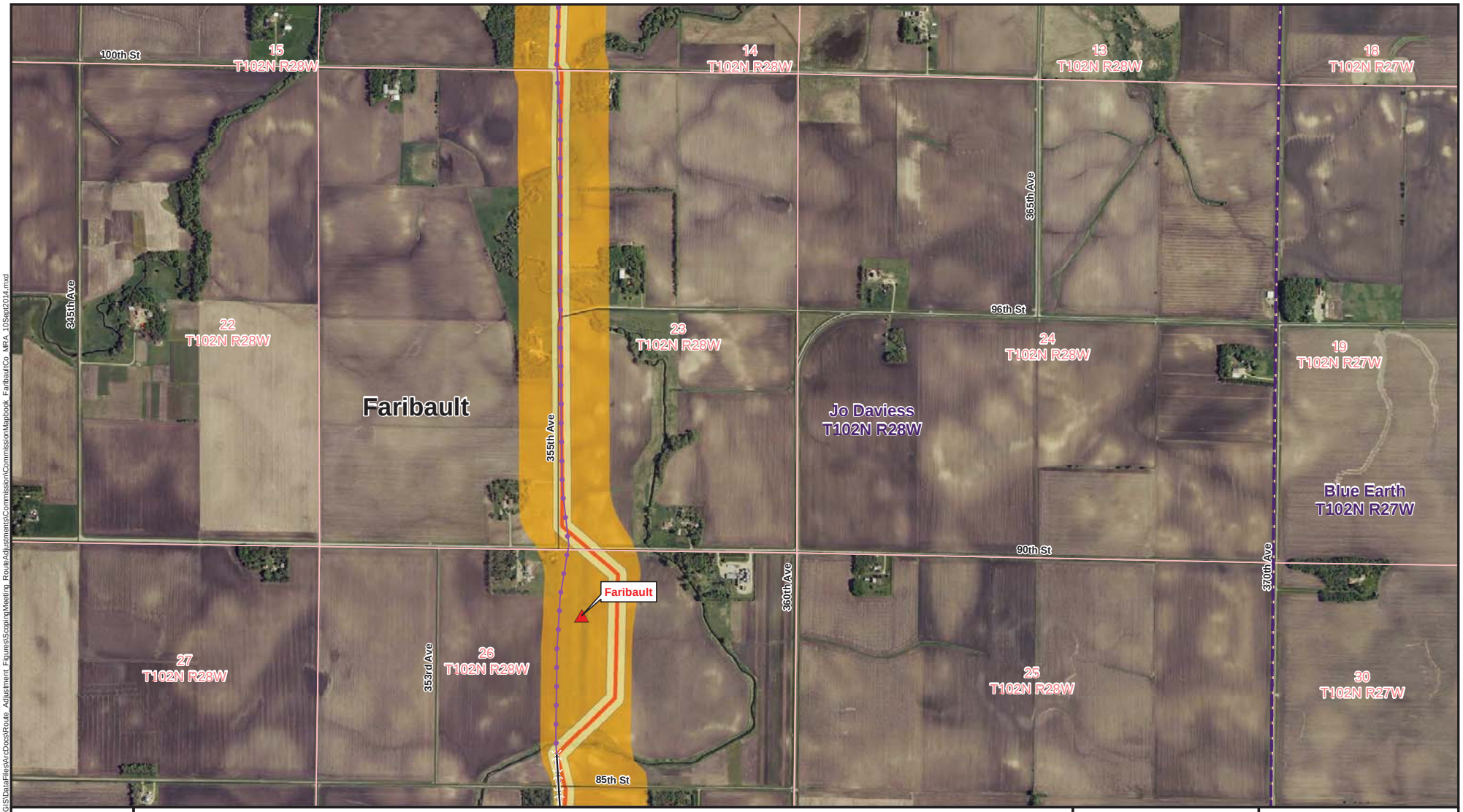

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Feet

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Substation to be Removed
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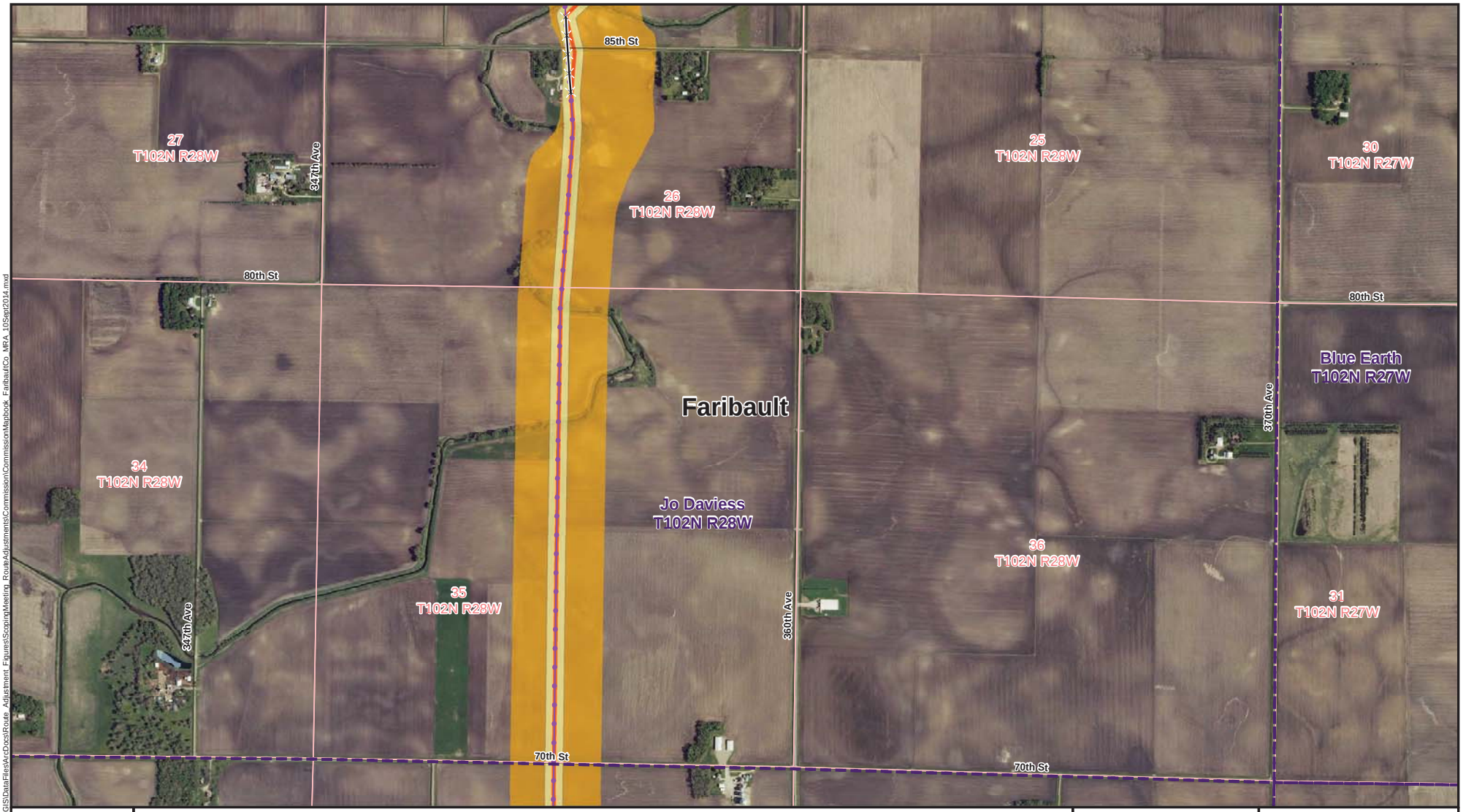

NORTH

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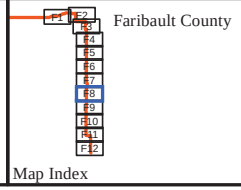

ITC Midwest
Minnesota to Iowa
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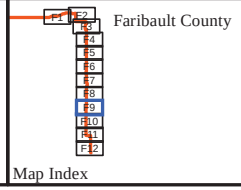
NORTH

0 500 1,000
Feet

Proposed Substation/Expansion
Existing Substation Area
Substation to be Removed
Modified Route A- Alignment
Modified Route A
Project ROW
Associated Facilities
Existing 69 kV Lines
Existing 161 kV Lines
Existing 345 kV Lines
Line to be Removed
Civil Township
Township Sections
County Boundary
State Boundary
City
WMA
WPA
WRP



ITC Midwest
Minnesota to Iowa
345 kV Transmission Project

Modified Route A
Faribault County
Sheet 9 of 12

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Source: MN Geo 2011 Aerials; Minnesota DNR; Minnesota Geo GIS; Minnesota DOT; ITC; Burns & McDonnell.

September 19, 2014

NORTH

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Faribault County
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Map Index

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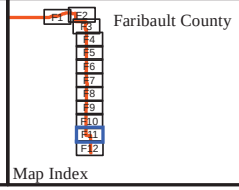

ITC Midwest
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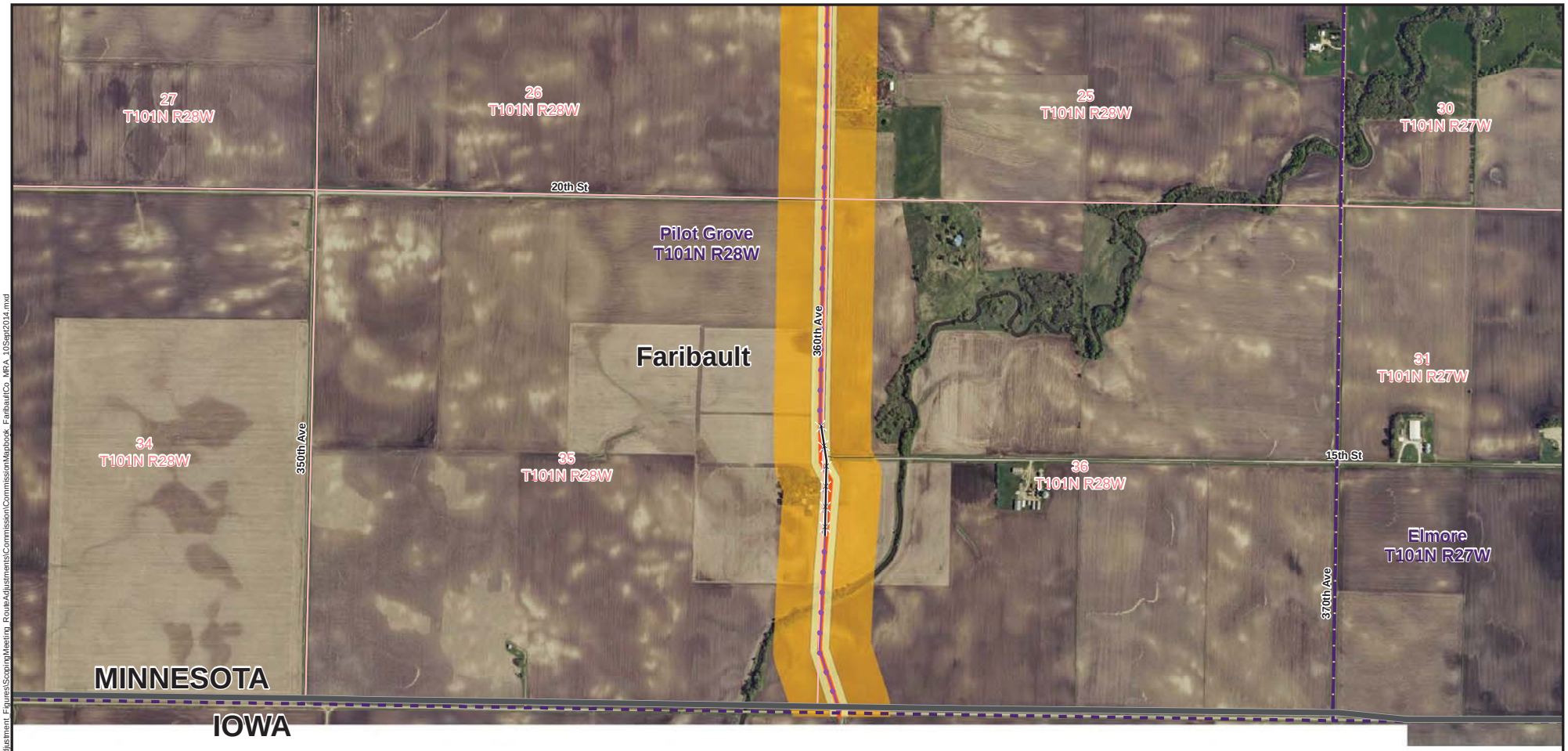

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September 19, 2014

MINNESOTA PUBLIC UTILITIES COMMISSION COMPLAINT HANDLING PROCEDURES FOR HIGH-VOLTAGE TRANSMISSION LINES

A. Purpose

To establish a uniform and timely method of reporting complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup and restoration, operation, and resolution of such complaints.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittees by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains to both or one of the parties unresolved or unsatisfactorily resolved.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.

2. A person presenting the complaint should to the extent possible, include the following information in their communications:

    a. name, address, phone number, and email address;
    b. date of complaint;
    c. tract or parcel number; and
    d. whether the complaint relates to a permit matter or a compliance issue.

3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:

    a. docket number and project name;
    b. name of complainant, address, phone number and email address;
    c. precise description of property or parcel number;
    d. name of permittee representative receiving complaint and date of receipt;
    e. nature of complaint and the applicable permit condition(s);
    f. activities undertaken to resolve the complaint; and
    g. final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or consumer.puc@state.mn.us. For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: By the 15th of each month, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed to Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: https://www.edockets.state.mn.us/EFiling/home.jsp

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation and maintenance shall be promptly sent to the permittee.

H. Commission Process for Unresolved Complaints

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten (10) days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may filed by mail or email to:

ITC Midwest LLC
Jeanne Archie
Senior Real Estate Specialist
123 5th Street, S.E.
Cedar Rapids, IA 52401
Phone: 319-297-6764
jarchie@itctransco.com

This information shall be maintained current by informing the Commission of any changes by eFiling, as they become effective.

MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of submitting information required by the Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all compliance filings required by permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall eFile all compliance filings with Dr. Burl W. Haar, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: https://www.edockets.state.mn.us/EFiling/home.jsp

General instructions are provided on the eDockets website. Permittees must register on the website to eFile documents.

2. All filings must have a cover sheet that includes:

    a. Date
    b. Name of submitter/permittee
    c. Type of permit (site or route)
    d. Project location
    e. Project docket number
    f. Permit section under which the filing is made
    g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being eFiled, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Dr. Burl W. Haar, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any eFiled document.

PERMIT COMPLIANCE FILINGS[1]

PERMITTEE: **ITC Midwest LLC**
PERMIT TYPE: **High-Voltage Transmission Line Route Permit**
PROJECT LOCATION: **Jackson, Martin, and Faribault Counties**
PUC DOCKET NUMBER: **ET-6675/TL-12-1337**

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	5.1	Notification of Landowners	First contact after issuance of route permit.
	5.2.1	Field Representative	14 days prior to commencing construction.
	5.2.11	Restoration	60 days after completion of all construction activities.
	5.2.13	State Historic Preservation Office Consultation	After completion of consultation.
	5.4.2	Other Permits and Regulations	Upon request of the Commission.
	6.1	Construction Environmental Control Plan (CECP)	30 days prior to submitting the plan and profile for any segment of the Project.
	6.2	Agricultural Impact Mitigation Plan distribution	First contact after issuance of route permit in accordance with Section 4.1.
	6.3	Vegetation Management Plan	Submitted with CECP in accordance with Section 5.1.
	6.4	Avian Mitigation Plan	Submitted with CECP in accordance with Section 5.1.

[1] This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.

Filing Number	Permit Section	Description of Compliance Filing	Due Date
	6.5	Des Moines River Crossing	Upon completion of consultation with DNR and as part of the plan and profile in accordance with Section 8.1.
	8.0	Complaint Procedures	Prior to the start of construction.
	9.1	Plan and Profile	30 days before right-of-way preparation.
	9.2	Periodic Status Reports	Monthly
	9.3	Completion of Construction and In-Service Date	Three days prior to in-service date.
	9.4	As-Builts	60 days after completion of construction.
	9.5	GPS Data	60 days after completion of construction.