

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair  
Commissioner  
Commissioner  
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In the Matter of the Application of Minnesota  
Power for a Route Permit for the Deer River  
115-Kilovolt High-Voltage Transmission Line  
Project in Itasca County

ISSUE DATE: June 10, 2014

DOCKET NO. E-015/TL-13-68

ORDER ISSUING ROUTE PERMIT

**PROCEDURAL HISTORY**

On April 15, 2013, Minnesota Power filed an application for a route permit under Minn. Stat. § 216E.03 to replace an existing substation and approximately 7.5 miles of an existing 115 kV high voltage transmission line, with a larger substation and shorter segments of new and rebuilt 115 kV high voltage transmission line and a short segment of new double-circuit 230 kV high voltage transmission line. The project is located east of Deer River, in Itasca County, and described in the application as the Deer River Project (Project).

On June 27, 2013, the Commission found the route permit application complete and referred the application to the Office of Administrative Hearings for record development.

On July 3, 2013 and January 16, 2014, the Minnesota Department of Natural Resources (DNR) filed comments on the proposed project, including comments regarding the potential for the Project to have an impact on bald eagles and pale moonwort. The DNR also identified locations where bird diverters should be installed for the Project.

On July 12, 2013 and February 11, 2014, Minnesota Power responded to the DNR's concerns, and stated its intent to install bird diverters at the locations specified by the DNR.

On November 21, 2013, the Minnesota Department of Commerce (the Department) filed its Environmental Assessment on the Project.

On February 6, 2014, Administrative Law Judge (ALJ) James E. LaFave conducted a public hearing at the White Oak Inn & Suites in Deer River on the route permit application. On April 14, 2014, the ALJ filed his Findings of Fact, Conclusions, and Recommendations (ALJ's Report) on the Project, recommending that the Commission issue a route permit to Minnesota Power for its proposed Deer River route. No one filed exceptions to the ALJ's Report.

On May 22, 2014, the matter came before the Commission.

## FINDINGS AND CONCLUSIONS

### **I. Background**

In its application, Minnesota Power stated that the Project will improve reliability and long-term load service capability in the Deer River area by replacing an existing substation and approximately 7.5 miles of an existing 115 kV high voltage transmission line with a larger substation, shorter segments of new and rebuilt 115 high voltage transmission line, and a short segment of new double-circuit 230 kV high voltage transmission line.

Because this Project exceeds 100 kV and is greater than 1,500 feet in length, a route permit is required.<sup>1</sup> Further, the Project qualifies for the alternative review process under Minn. Stat. § 216E.04, subd. 2, parts (3) and (4).<sup>2</sup> Under alternative review, an applicant is not required to propose alternative routes, but projects are subject to an environmental assessment (EA), the scope of which is determined by the Department.<sup>3</sup> The environmental assessment must include:

- A. A general description of the proposed facility;
- B. A list of any alternative sites or routes that are addressed;
- C. A discussion of the potential impacts of the proposed project and each alternative site or route on the human and natural environment;
- D. A discussion of mitigative measures that could reasonably be implemented to eliminate or minimize any adverse impacts identified for the proposed project and each alternative site or route analyzed;
- E. An analysis of the feasibility of each alternative site or route considered;
- F. A list of permits required for the project; and
- G. A discussion of other matters identified in the scoping process.<sup>4</sup>

On August 8, 2013, the deputy commissioner of the Department of Commerce issued a scoping decision, which identified the following issues to be addressed in the Environmental Assessment (EA): the general description of the Project; the regulatory framework; engineering and design; construction; the affected environment, potential impacts, mitigative measures; and a list and description of permits from other governmental agencies.

### **II. Environmental Assessment**

Pursuant to Minn. R. 7850.3900, the Commission reviewed the Environmental Assessment and the record created at the public hearing. Based on its review, the Commission finds that the Environmental Assessment and the record created at the public hearing adequately address the issues identified in the scoping decision. Specifically, Sections 1 through 4 of the EA include a Project description and address the Project's regulatory framework, its engineering and design, and its construction. Section 5 of the EA addresses potential impacts and mitigation measures on

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<sup>1</sup> Minn. Stat. §§ 216E.01, subd. 4 and 216E.03, subd. 2.

<sup>2</sup> The alternative review process applies to, inter alia, high-voltage transmission line projects which are between 100 and 200 kV or in excess of 200 kilovolts and less than five miles in length in Minnesota.

<sup>3</sup> Minn. Stat § 216E.04, subd. 3; Minn. R. 7850.3100.

<sup>4</sup> Minn. R.7850.3700, subp. 4.

the following: environmental setting; socioeconomics; human settlement; public health and safety; land-based economies; archaeological and historic resources; natural environment, including water resources, soils, flora, and fauna; threatened, endangered, and rare and unique natural resources; and zoning and land use compatibility. Section 6 of the EA evaluates the route proposed by Minnesota Power. No other routes or route alternatives were evaluated in the EA.

### **III. Public Hearing**

On February 6, 2014, the ALJ presided at the public hearing in this matter. Six members of the public attended. Two members of the public spoke at the meeting. One person, Troy Mann, requested a permit condition that would require Minnesota Power to work with him on placing structures for the Project on his property. Another person wanted to know if the transmission line was proposed to be located on his property. Minnesota Power responded to the questions and concerns raised. And, on February 11, 2014, Minnesota Power filed a letter committing to work with Mr. Mann as practicable to find a location for the Project on his property that will minimize impacts to his planned development and comply with regulatory requirements.

### **IV. The Administrative Law Judge's Report**

On April 14, 2014, the Administrative Law Judge filed his Findings of Fact, Conclusions, and Recommendations on the Project. His report included 162 findings of fact, a summary of public comment and government agency participation, 16 conclusions of law, and a recommendation that the Commission issue a route permit to Minnesota Power for its proposed Deer River route. The ALJ also concluded that the EA was appropriate and satisfies the requirements of Minn. R. 7850.3900. No one filed exceptions to the ALJ's Report.

### **V. Route Permit**

The Commission agrees with the Administrative Law Judge and the parties that the Deer River Project satisfies the routing conditions under Minn. R.7850.2800 - 7850.3900 and finds that the Project is consistent, under Minn. Stat. § 216E.03, subd. 7 and Minn. R. 7850.4000, with state goals 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. The Commission will therefore adopt the Administrative Law Judge's Findings of Fact, Conclusions, and Recommendations, and issue the Route Permit to Minnesota Power in the form attached.

### **ORDER**

1. The Commission finds that the Environmental Assessment and the record created at the public hearing address the issues identified in the scoping decision.
2. The Commission hereby approves and adopts the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommendations for Minnesota Power's Deer River high voltage transmission line project in Itasca County.

3. The Commission hereby issues a high-voltage transmission line route permit, identifying a specific route and permit conditions, to Minnesota Power for the Deer River Transmission Line Project in Itasca County in the form attached.
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  
ITASCA COUNTY**

**ISSUED TO  
MINNESOTA POWER**

**PUC DOCKET NO. E015/TL-13-68**

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

**MINNESOTA POWER**

Minnesota Power is authorized by this route permit to construct an approximately one mile 115 kilovolt (kV) high voltage transmission line (HVTL), 0.3 mile of double-circuit 230 kV HVTL, and a new 230 kV/115 kV/23 kV Zemple Substation – including the rebuild of 0.9 miles of existing 115 kV HVTL along the same right-of-way and the removal of approximately 7.5 miles of existing 115 kV HVTL.

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 10th day of June, 2014

BY ORDER OF THE COMMISSION



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Burl W. Haar,  
Executive Secretary

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Route Maps

**ATTACHMENTS**

Attachment A – Complaint Procedures for High-Voltage Transmission Lines

Attachment B – Compliance Filing Procedure for Permitted Energy Facilities

Attachment C – Compliance Filing List

## 1.0 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Minnesota Power (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Permittee to construct 115 kilovolt (kV) and 230 kV high voltage transmission lines and a new substation as identified in the attached route permit maps, hereby incorporated into this document.

## 2.0 PROJECT DESCRIPTION

The Project includes the construction of an approximately one mile of 115 kilovolt (kV) high voltage transmission line (HVTL), 0.3 mile of double-circuit 230 kV HVTL, and a new 230 kV/115 kV/23 kV Zemple Substation. The Project includes rebuilding 0.9 miles of existing 115 kV HVTL along the same right-of-way with new structures and removing approximately 7.5 miles of existing 115 kV HVTL.

### 2.1 Project Location

The Project is located in Itasca County, east of Deer River. The route maps attached to this permit show the overview of the project area.

County	Township Name	Township	Range	Section
Itasca County	Deer River	56N	27W	15, 16, 21, and 22

### 2.2 Associated Facilities and Substations

This permit authorizes the construction of the new 230 kV/115 kV/23 kV Zemple Substation.

### 2.3 Structures and Conductors

Minnesota Power will use single pole structures between 60 feet and 110 feet in height and H-frame structures between 55 feet and 100 feet in height. Spans between 230 kV structures are to be 200 feet to 600 feet. Spans between 115 kV structures are to be 200 feet to 400 feet for single pole structures and 500 feet to 700 feet for H-frame structures.

The table below details specifics on the various 115 and 230 kV structure types as presented in the route permit application.

Line Type	Structure		Foundation	Height	Span
	Type	Material			
Single Circuit 115 KV	H-Frame	Wood or Steel	Wood: direct embed Steel: 6-8 ft	Ranges from 55-100 ft	600 ft +/- 100 ft
Single Circuit 115 KV	Monopole Angle	Wood or Steel	Wood: direct embed Steel: 6-8 ft	Ranges from 60-110 ft	300 ft +/- 100 ft
Single Circuit 115 KV	Monopole Tangent	Wood or Steel	Wood: direct embed Steel: 6-8 ft	Ranges from 60-110 ft	300 ft +/- 100 ft
Double Circuit 230 kV	Monopole Angle	Steel	Steel: 8-10 ft	Ranges from 100-150 ft	400 ft +/- 200 ft

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 designated by the Commission in this permit is the route described below and shown on the route maps attached to this permit. The new construction and rebuild portion of the Project is located in Sections 15, 16, 21, and 22 of T56N, R27W. The route proposed in the Application by Minnesota Power is located east of Deer River, Minnesota.

- A new 1.0 mile 115 kV HVTL would be built originating from an existing 115 kV HVTL north of Hwy 2 and terminating to the south at an Enbridge electrical substation (green corridor and centerline).
- A new 0.3-mile double circuit 230 kV HVTL would be built between the existing 230 kV HVTL south of Hwy 2 and the proposed Zemple Substation (purple corridor and centerline).
- A 0.9-mile portion of an existing 115 kV HVTL would be restructured and reconducted (Lavender and yellow T-Line)
- Minnesota Power’s existing Deer River 115/23 kV Substation would be removed and replaced with a new Minnesota Power Zemple 230/115/23 kV Substation in the same location (red polygon).

- An existing 7.5-mile long 115 kV HVTL tap would be taken out of service and removed (yellow and orange line).

The route width authorized for the project is 1,000 feet for the 115 kV HVTL and 500 feet for the 230 kV HVTL.

The identified route widths will provide the Permittee with flexibility for minor adjustments of the specific alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (i.e., permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized below.

### **3.1 Right-of-Way**

The approved right-of-way width for the project is up to 100-feet for the 115 kV portions and 130-feet for the 230 kV portions. This permit anticipates that the right-of-way will generally conform to the anticipated alignment as noted on the attached route permit maps unless changes are requested by individual landowners and agreed to by 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 4.1 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.

## **4.0 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.

### **4.1 Plan and Profile**

At least 30 calendar 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.

## **4.2 Construction Practices**

The Permittee shall follow those specific construction practices and material specifications described in Minnesota Power's Application to the Commission for a route permit for the Deer River Project, dated April 15, 2013, unless this permit establishes a different requirement in which case this permit shall prevail.

### **4.2.1 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.

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 written notice to landowners and the Commission.

### **4.2.2 Local Governments**

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

#### 4.2.3 Cleanup

All waste and scrap that is the product of construction shall be removed from the area 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.

#### 4.2.4 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.

#### 4.2.5 Vegetation Removal

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.

The Permittee shall avoid construction and maintenance practices, particularly the use of fertilizer, herbicides or other pesticides, that are inconsistent with the landowner's or tenant's use of the land. The Permittee will provide notification to affected landowners and tenants before using these materials.

#### 4.2.6 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.

#### 4.2.7 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.

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.

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.

#### 4.2.8 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.

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

As part of the preconstruction reports, the permittee will include a section evaluating the potential for the occurrence of Aquatic Invasive Species (AIS) in the project area and describing if any best management practices apply to the project. The permittee should identify any infested waters or otherwise state that aquatic invasive species are not anticipated. The MN DNR must be notified if any AIS are identified in an area not previously identified as infested water.

#### 4.2.9 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when installing the high-voltage transmission line on the approved route. In the event that a resource is encountered, the Permittee shall contact and consult with the State Historic Preservation Office (SHPO). Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with SHPO and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction.

#### 4.2.10 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.

#### 4.2.11 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.

#### 4.2.12 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.

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

#### 4.2.13 Notice of Permit

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

### **4.3 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.

### **4.4 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 set forth in the complaint procedures attached to this permit.

### **4.5 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.

### **4.6 Completion of Construction**

#### **4.6.1 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.

#### **4.6.2 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.

#### **4.6.3 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.

## **4.7 Electrical Performance Standards**

### 4.7.1 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 milliamperes 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.

### 4.7.2 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.

### 4.7.3 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.

## **4.8 Other Requirements**

### 4.8.1 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.

#### 4.8.2 Other Permits

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.

#### 4.8.3 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.

### **4.9 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.

### **5.0 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.

#### 5.1.1 Bird Diverters

The Permittee shall install bird diverters in the locations as specified by the MnDNR in its comments.

#### 5.1.2 Mann Property

The Permittee shall work with Mr. Mann, as practicable; to locate the Project on his property to minimize the impacts to his planned development.

### 5.1.3 Erosion Control

The Permittee shall use biodegradable erosion control measures where practicable instead of plastic or non-biodegradable erosion control measures.

### 5.1.4 Invasive Species Management Plan

The Permittee shall develop an invasive species management plan and provide an opportunity for the MnDNR to comment on the draft plan before submitting it to the Commission with its plan and profile.

## **6.0 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.

## **7.0 TRANSFER OF PERMIT**

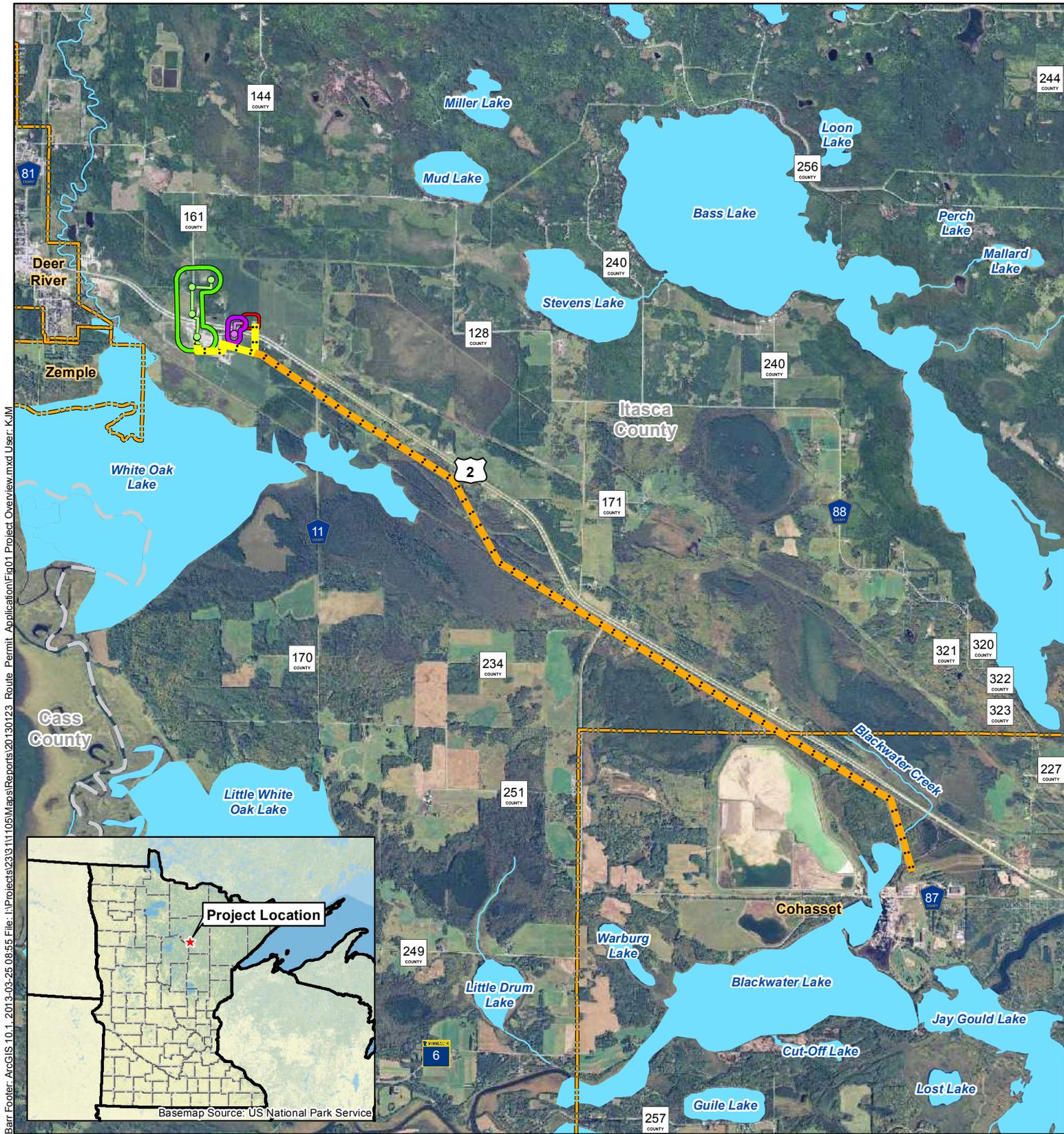
The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected,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

## **8.0 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.

## **Figures - Route Permit Maps**



Barr Footer: ArcGIS 10.1\_2013-03-25 08:55 File: I:\Projects\2311105\Maps\Reports\20130123 Route Permit Application\Fig01 Project Overview.mxd User: KJM

Image Source: 2010 Farm Service Agency

- Proposed 115 kV Rebuild
- Proposed 115kV Alignment
- Proposed 115 kV HVTL Route
- Proposed 230kV Alignment
- Proposed 230 kV HVTL Route
- Proposed Substation Location
- 115 kV HVTL Proposed for Removal

- Municipal Boundary
- County Boundary
- PWI Watercourse
- PWI Basin

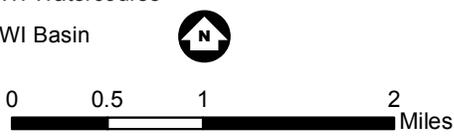


Figure 1

**PROJECT OVERVIEW**  
 Proposed 115 kV, 230 kV  
 HVTL and Substation  
 Minnesota Power  
 Itasca County, MN

Barf Footer: ArcGIS 10.1, 2013-05-25 09:03 File: I:\Projects\231311\05\Maps\Reports\20130123 Route Permit Application\Fig02 Project Detailed Map.mxd User: K.IM

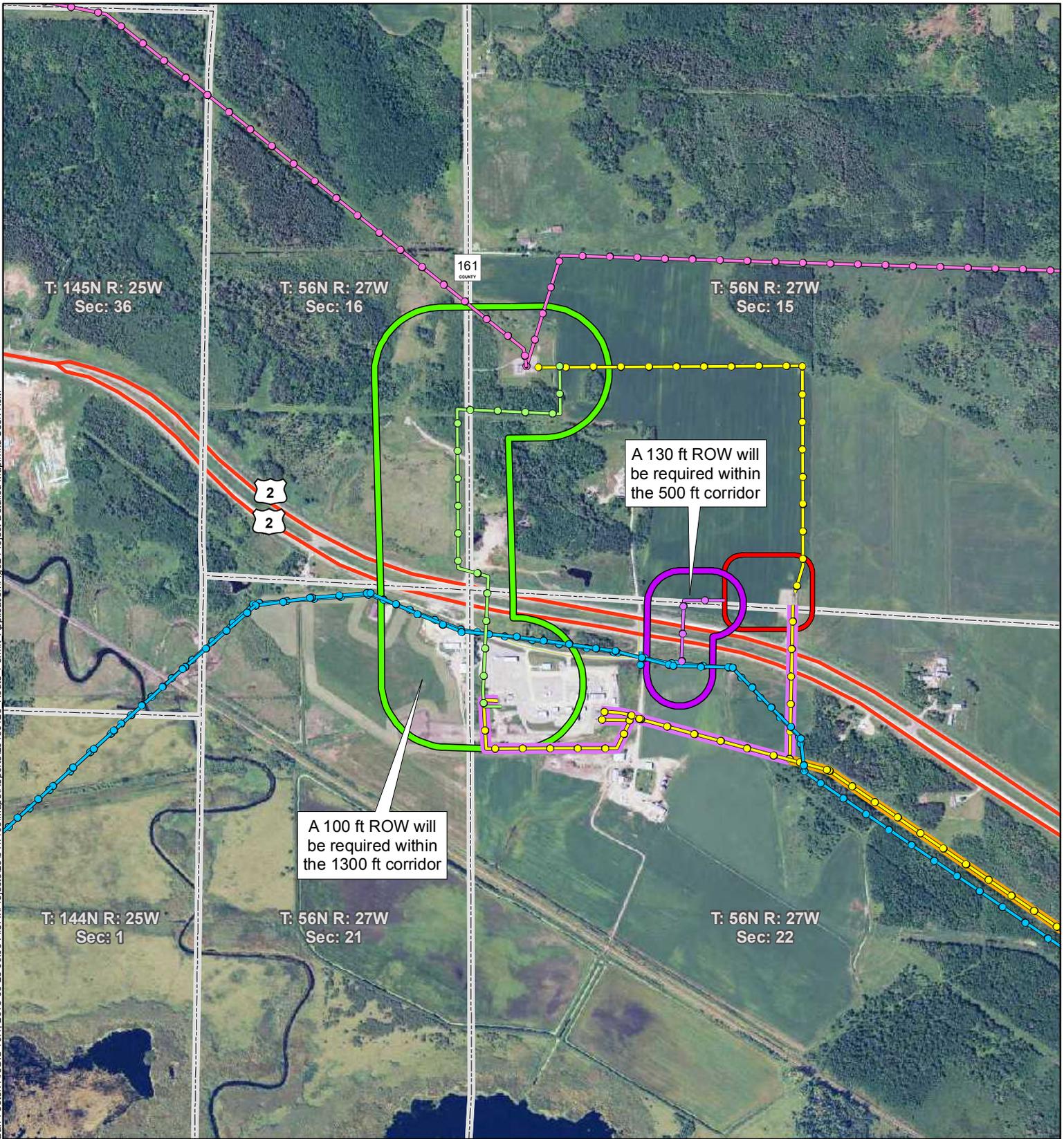


Image Source: 2010 Farm Service Agency

- Existing 115kV Line
- Existing 69kV Line
- CapX2020 230kV Line
- 115 kV HVTL Proposed for Removal
- Proposed 115 kV Rebuild
- Proposed New 115kV Alignment
- Proposed 115 kV HVTL Route
- Proposed New 230kV Alignment
- Proposed 230 kV HVTL Route
- Proposed Substation Location
- PLS Section

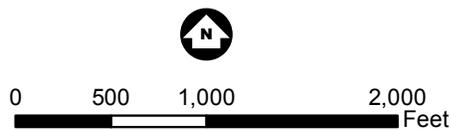


Figure 2

PROJECT DETAILED MAP  
 Proposed 115 kV, 230 kV  
 HVTL and Substation  
 Minnesota Power  
 Itasca County, MN

**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](mailto: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 be filed by mail or email to:

Minnesota Power  
Attn: Bryan Maslowski  
30 West Superior St. Duluth, MN 55802  
218-355-2943  
[bmaslowski@mnpower.com](mailto:bmaslowski@mnpower.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<sup>1</sup>**

PERMITTEE: Minnesota Power

PERMIT TYPE: HVTL Route Permit

PROJECT LOCATION: Itasca County

PUC DOCKET NUMBER: E015/TL-13-68

Filing Number	Permit Section	Description of Compliance Filing	Due Date
1	4.1	Plan and profile of right-of-way (ROW)	30 days before ROW preparation for construction
2	4.2.1	Contact information for field representative	14 days prior to construction
3	4.2.12	Restoration complete	60 days after completion of all restoration activities
4	4.3	Periodic status reports	Monthly
5	4.4	Complaint procedures	Prior to start of construction
6	Complaint Handling Procedures	Complaint reports	By the 15 <sup>th</sup> of each month
7	4.5	Notification to landowners	First contact with landowners after permit issuance
8	4.6.1	Notice of completion and date of placement in service	Three days prior to energizing
9	4.6.2	Provide as-built plans and specifications	Within 60 days after completion of construction
10	4.6.3	Provide GPS data	Within 60 days after completion of construction

<sup>1</sup> 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.

11	4.2.9	Notification of previously unrecorded archaeological sites	Upon discovery
12	5.1.4	Invasive species management plan	14 days prior to submission of plan and profile