

September 28, 2020

**VIA E-MAIL AND FEDERAL EXPRESS**

Mr. Steven Kahl  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

Re: Great River Energy  
230 kV Transmission Line – Oliver and Mercer Counties  
Siting Exclusion Certification  
Case No. PU-20-\_\_\_\_

Dear Mr. Kahl:

Attached for filing is Great River Energy's Certification Pursuant to North Dakota Century Code § 49-22-03(a)(4), along with Exhibits A and B. The original and ten copies of these documents are being sent to the Commission today via Federal Express.

Please let me know if you have any questions.

Sincerely,



Mollie M. Smith  
**Direct Dial:** 612.492.7270  
**Email:** msmith@fredlaw.com

MMS:rg:71072567  
Encls.

cc: Daniel Lesher (via e-mail, w/encl.)

1 PU-20-408 Filed 09/28/2020 Pages: 26  
Certification and documentation relating to N.D.C.C. Section 49-22-03(3)(a)(4)  
Great River Energy  
Mollie Smith, Fredrikson&byron, P.A.

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Great River Energy  
230 kV Transmission Line – Oliver and Mercer Counties  
Siting Exclusion Certification

Case No. PU-20-\_\_\_\_

CERTIFICATION PURSUANT TO  
NORTH DAKOTA CENTURY CODE § 49-22-03(3)(a)(4)

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF HENNEPIN    )

Daniel Leshner, being first duly sworn upon oath, states and alleges as follows:

1. I am the Manager of Transmission Permitting and Land Rights for Great River Energy (“GRE”), and am a duly authorized agent with the authority to act on behalf of and bind GRE.

2. GRE owns and operates the 230 kilovolt (“kV”) Stanton to Square Butte Transmission Line, referred to as the SHN Line, in North Dakota.

3. The Midcontinent Independent System Operator (“MISO”) has requested that GRE install new conductors on a portion of the SHN Line to improve efficiency, which will require GRE to replace existing structures to accommodate the new conductors. The structure replacement and installation of new conductors (“Project”) will generally follow the same SHN Line centerline, with slight variations.

4. The SHN Line was originally constructed prior to April 9, 1975. Therefore, for purposes of N.D.C.C. § 49-22-03(3)(a)(4), a corridor width of 350 feet on either side of the centerline applies pursuant to N.D.C.C. § 49-22-03(3)(a)(1)(c) (the “Corridor”). A map depicting the Project’s existing centerline and structure locations, proposed centerline and structure locations, and the Corridor is attached hereto as Exhibit A.

5. The Project's construction activities will be conducted wholly within the Corridor, and GRE holds all necessary easement rights within the Corridor.

6. In accordance with N.D.C.C. § 49-22-03(3)(a)(4), GRE certifies as follows:

- a. The Project involves the replacement of structures to facilitate the installation of new conductors along a portion of the SHN Line; thus, the proposed construction activities are to improve an existing electric transmission facility.
- b. GRE conducted an environmental analysis of the Project's Route and Corridor relative to the Exclusion Areas and Avoidance Areas set forth in N.D.A.C. §§ 69-06-08-02(1)-(2).
- c. One category of Exclusion Area is present within the Corridor: areas critical to the life stages of threatened or endangered animal or plant species (N.D.A.C. § 69-06-08-02(1)(d)). Specifically, occupied habitat for the Dakota skipper, a federally-listed threatened butterfly species, was identified within the Corridor. However, the Project avoids the occupied Dakota skipper habitat.
- d. One category of Avoidance Areas is present within the Corridor: historical resources which are not specifically designated as exclusion or avoidance areas (N.D.A.C. § 69-06-08-02(2)(c)). Specifically, five cultural sites and two isolated finds that remain unevaluated for inclusion in the National Register of Historic Places were identified within the Corridor. These resources will be avoided by the Project. The State Historical Society of North Dakota issued a letter, dated September 2, 2020, concurring with a determination of "No

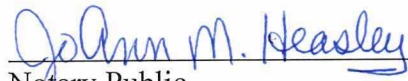
Historic Properties Affected” for the Project, which is attached hereto as **Exhibit B.**

- e. GRE will comply with all applicable conditions and protections in siting laws and rules. The SHN Line was constructed prior to the Siting Act; therefore, no prior Commission orders exist that are applicable to the facility at issue.

FURTHER AFFIANT SAYETH NOT.

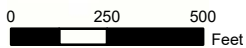
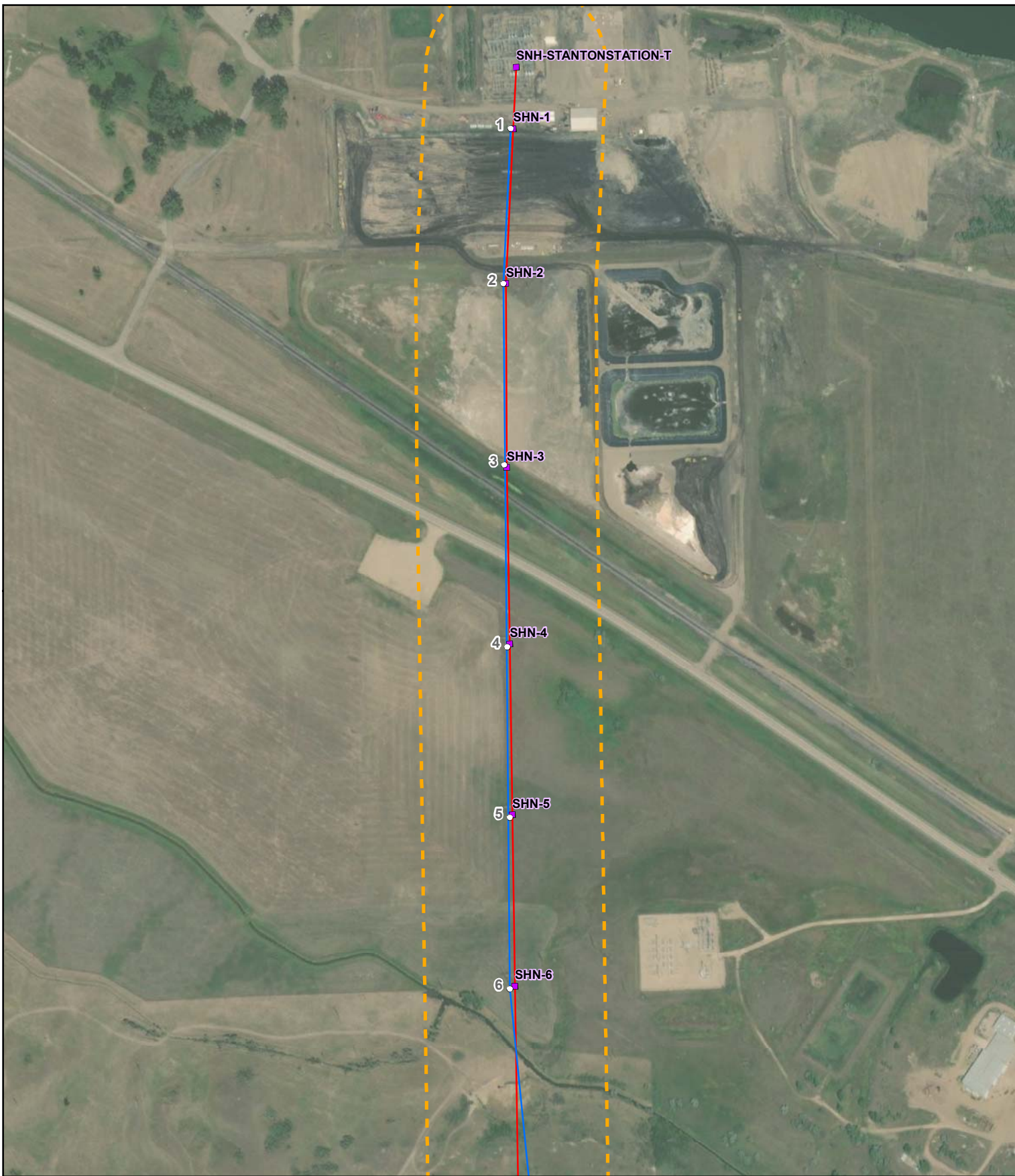
  
\_\_\_\_\_  
Daniel Lesher

Subscribed and sworn to before me  
this 24<sup>th</sup> day of September, 2020.

  
\_\_\_\_\_  
Notary Public



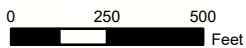
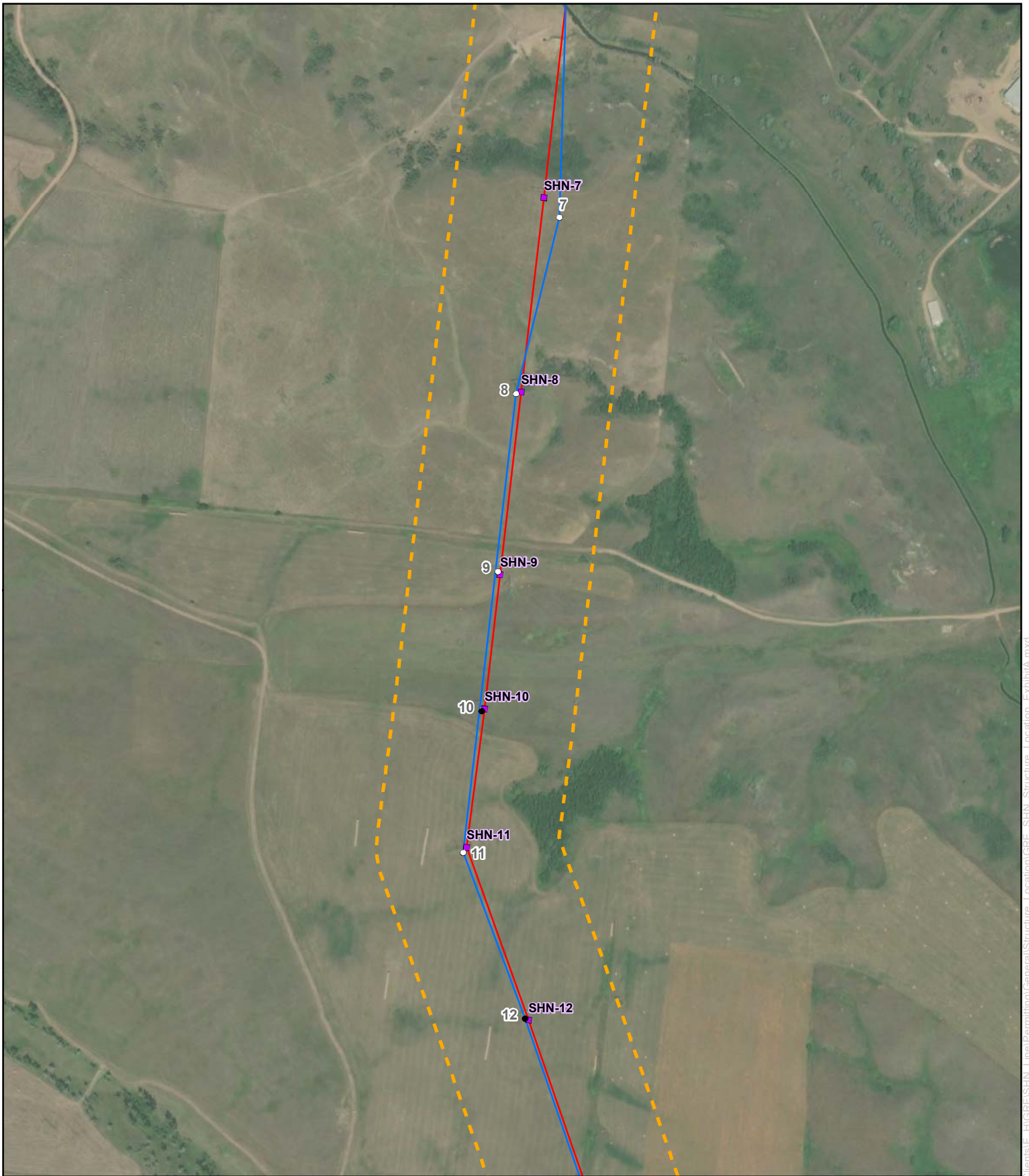
# EXHIBIT A



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## Great River Energy SHN 230 kV Line Rebuild Project Exhibit A Mercer and Oliver and Counties, North Dakota

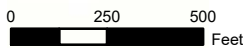
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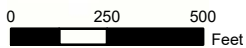
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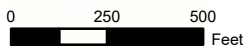
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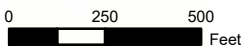
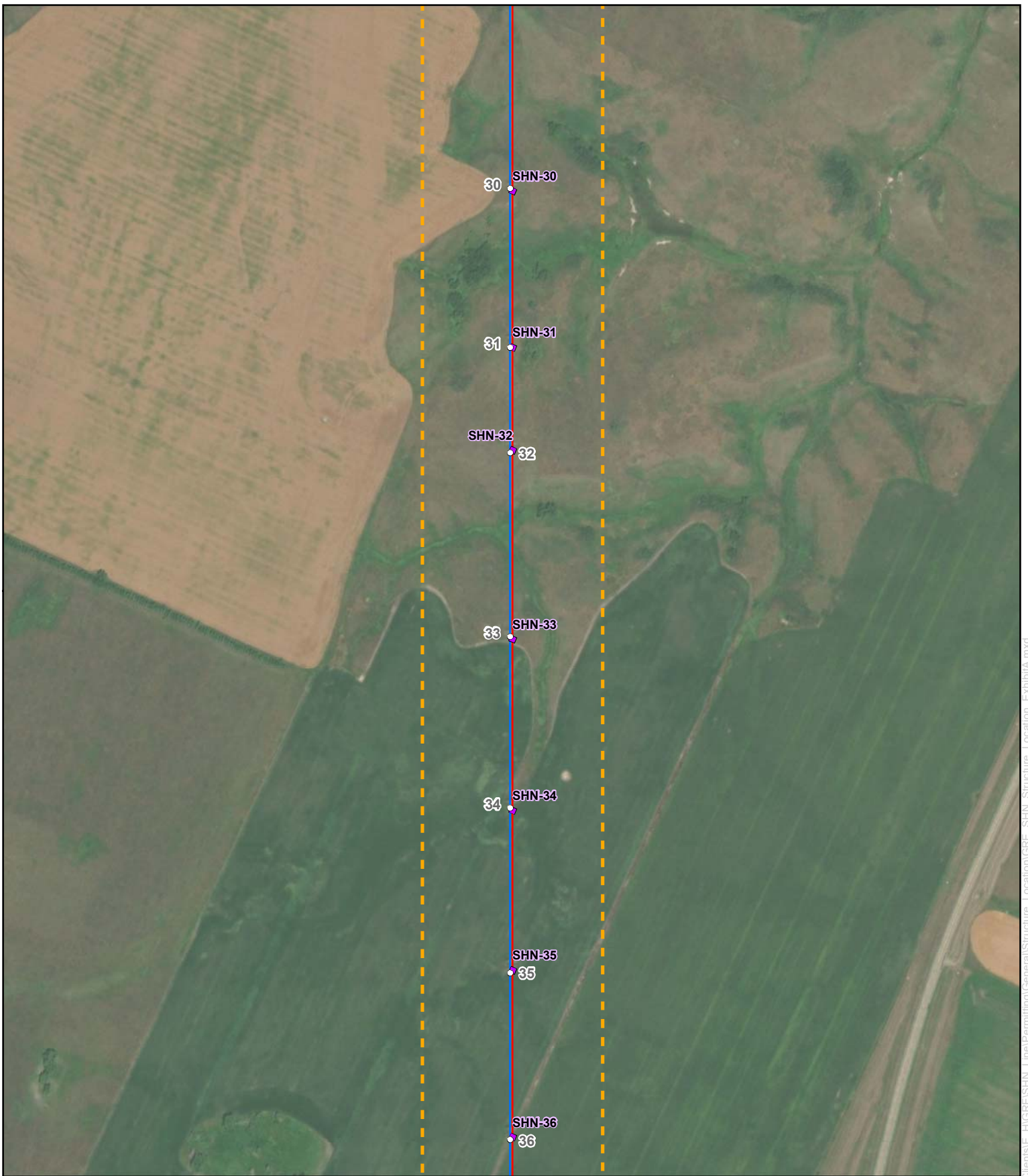
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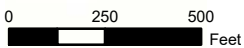
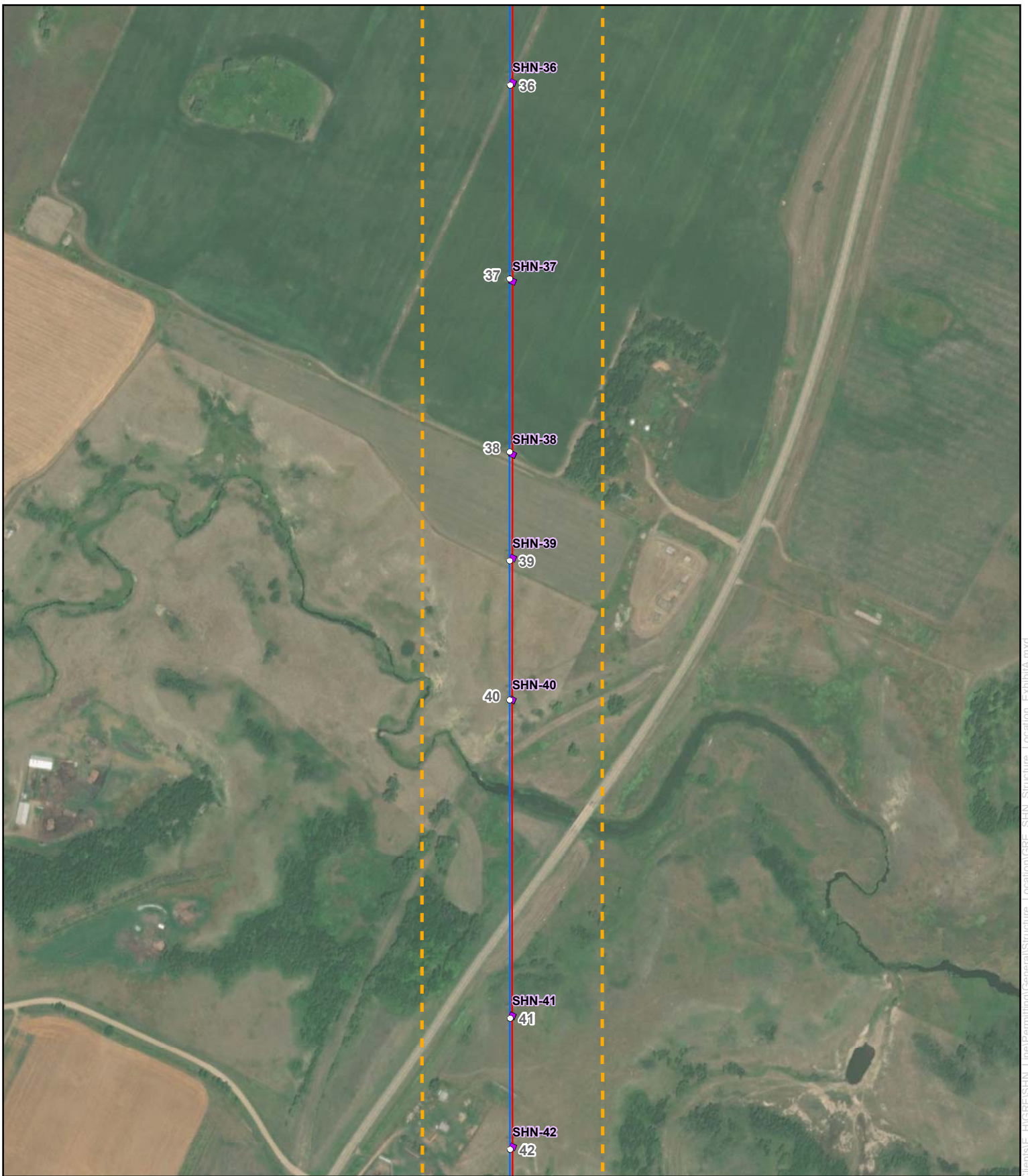
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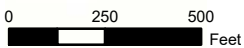
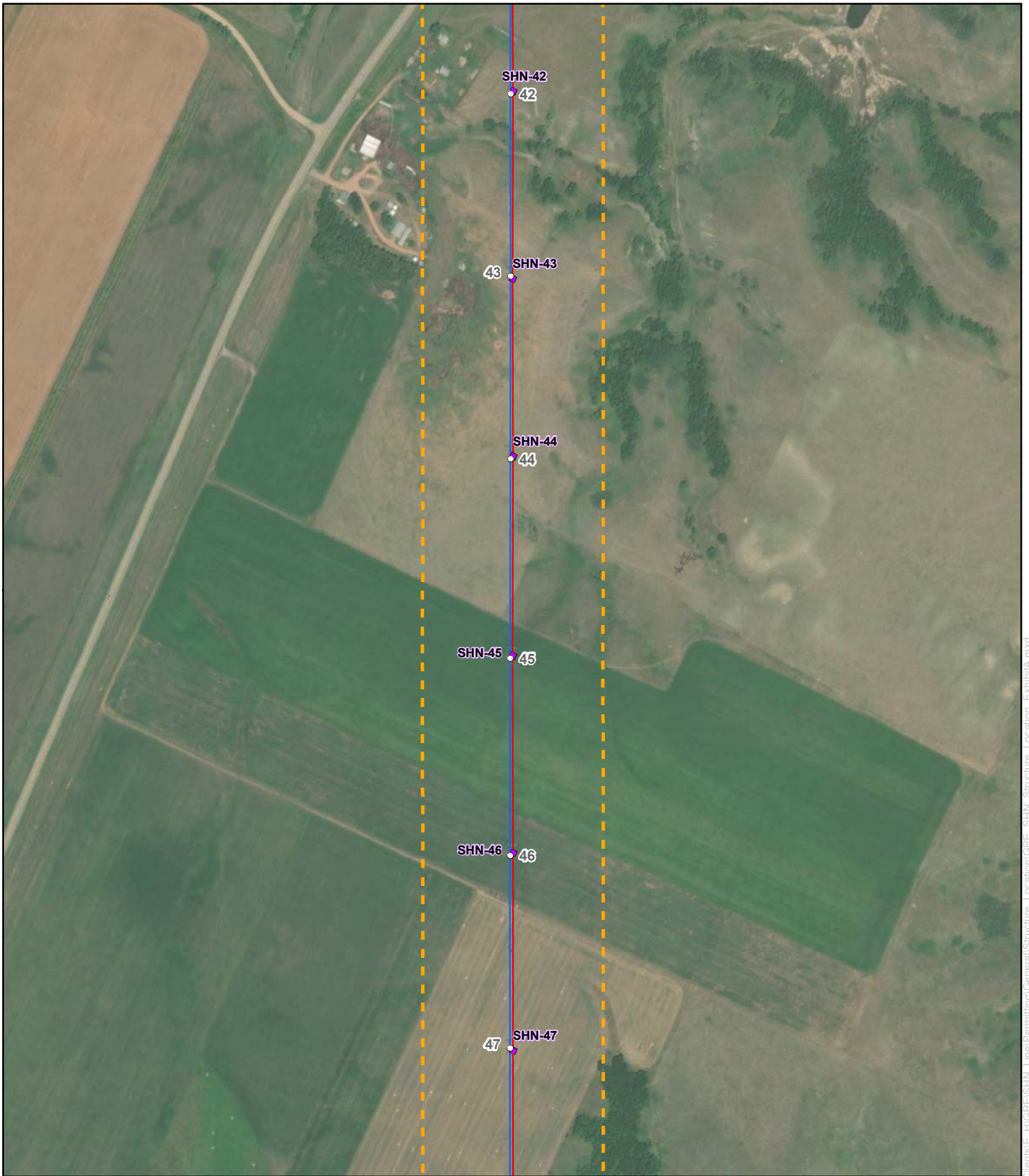


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For Environmental Review Purposes Only

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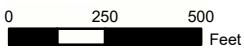
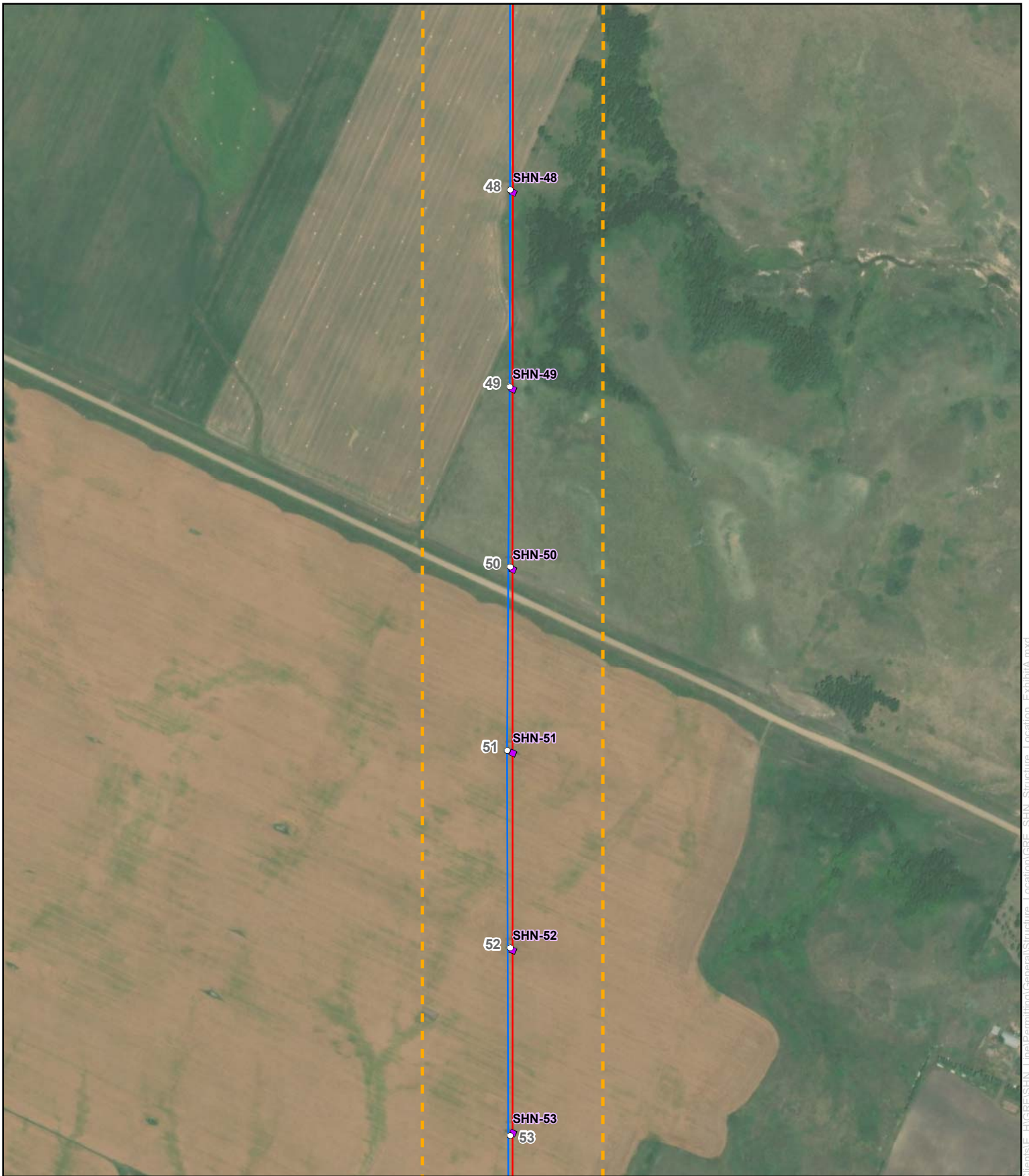
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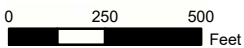
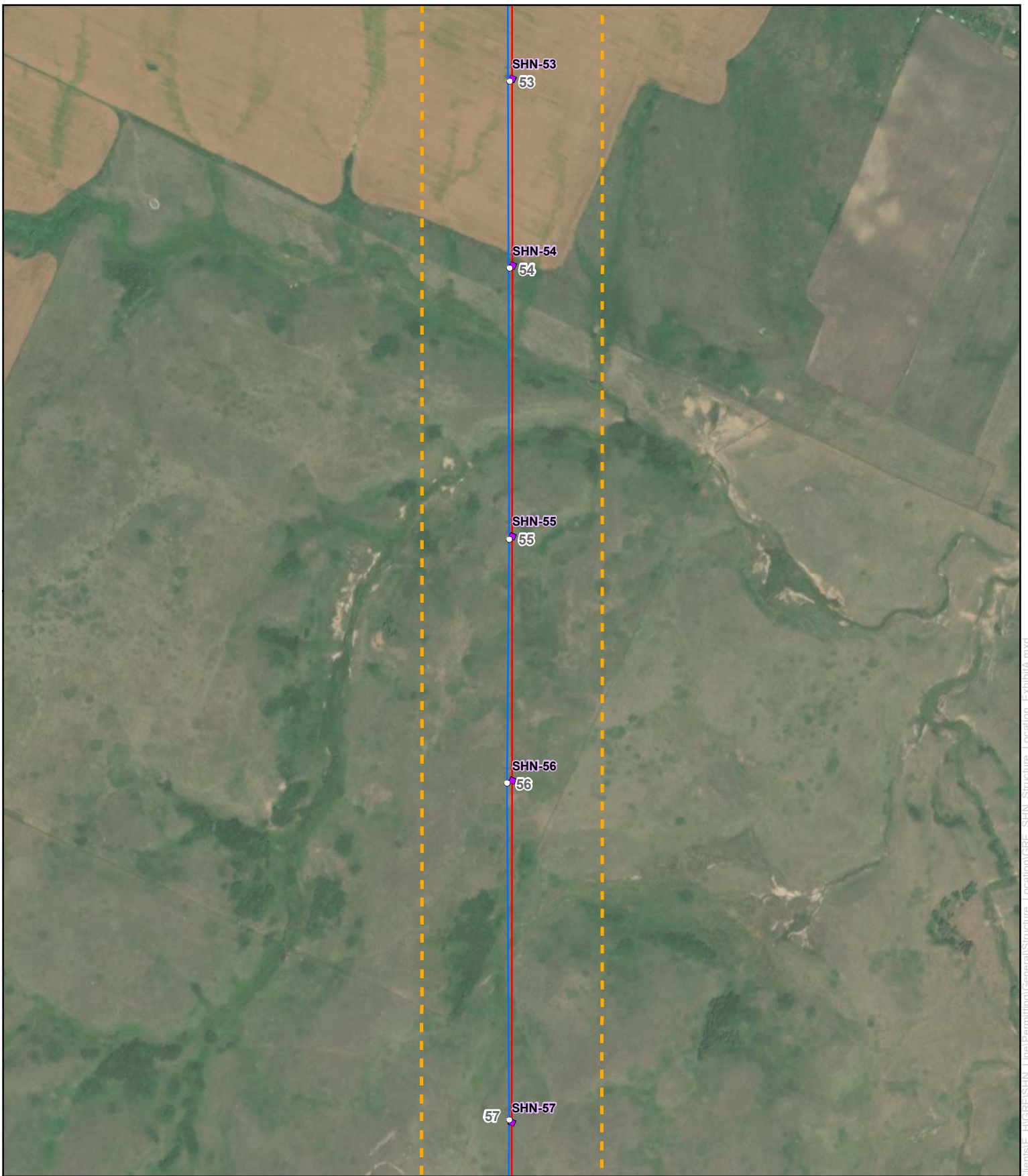
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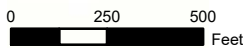
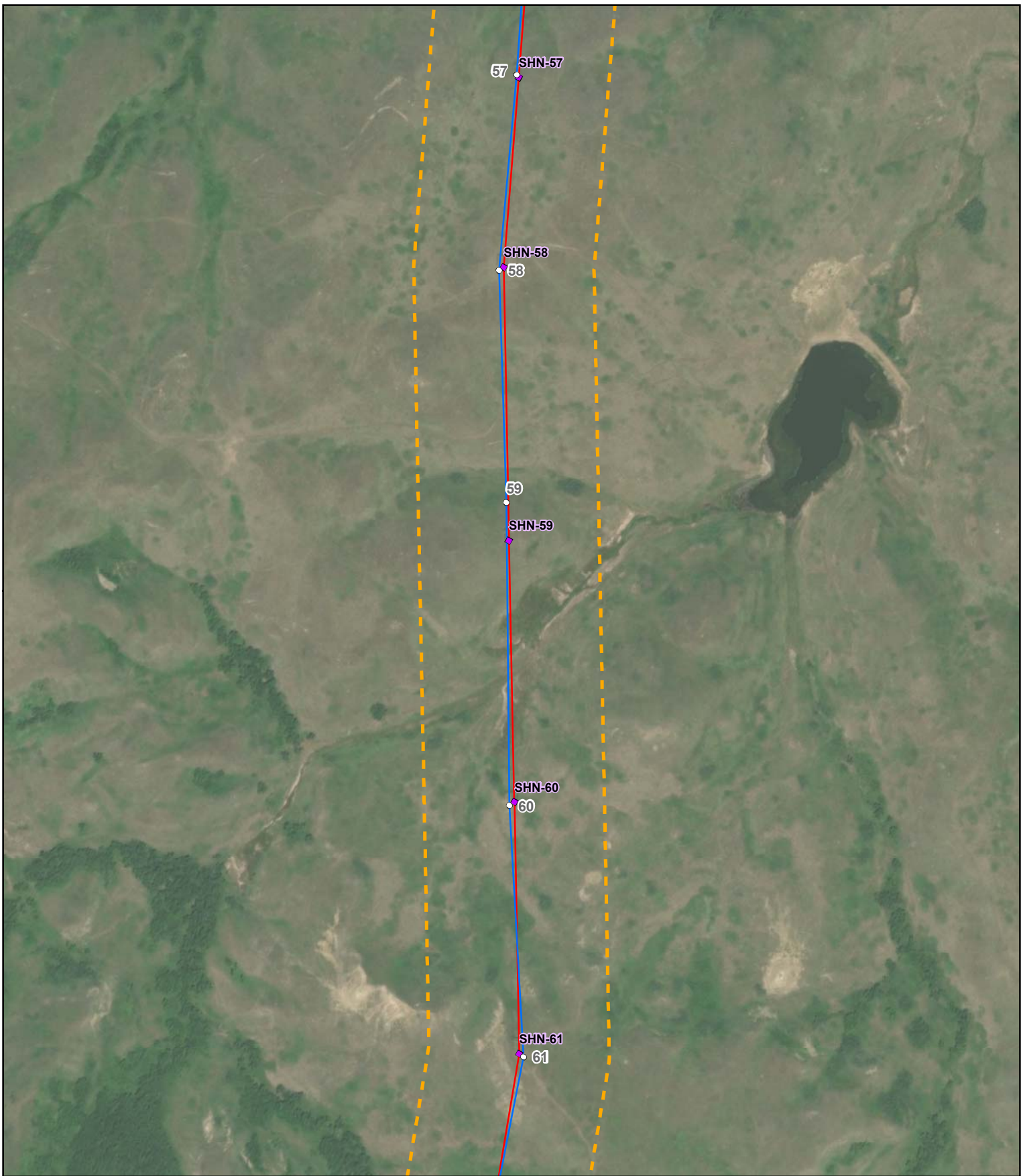
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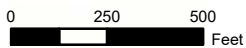
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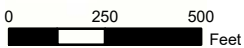
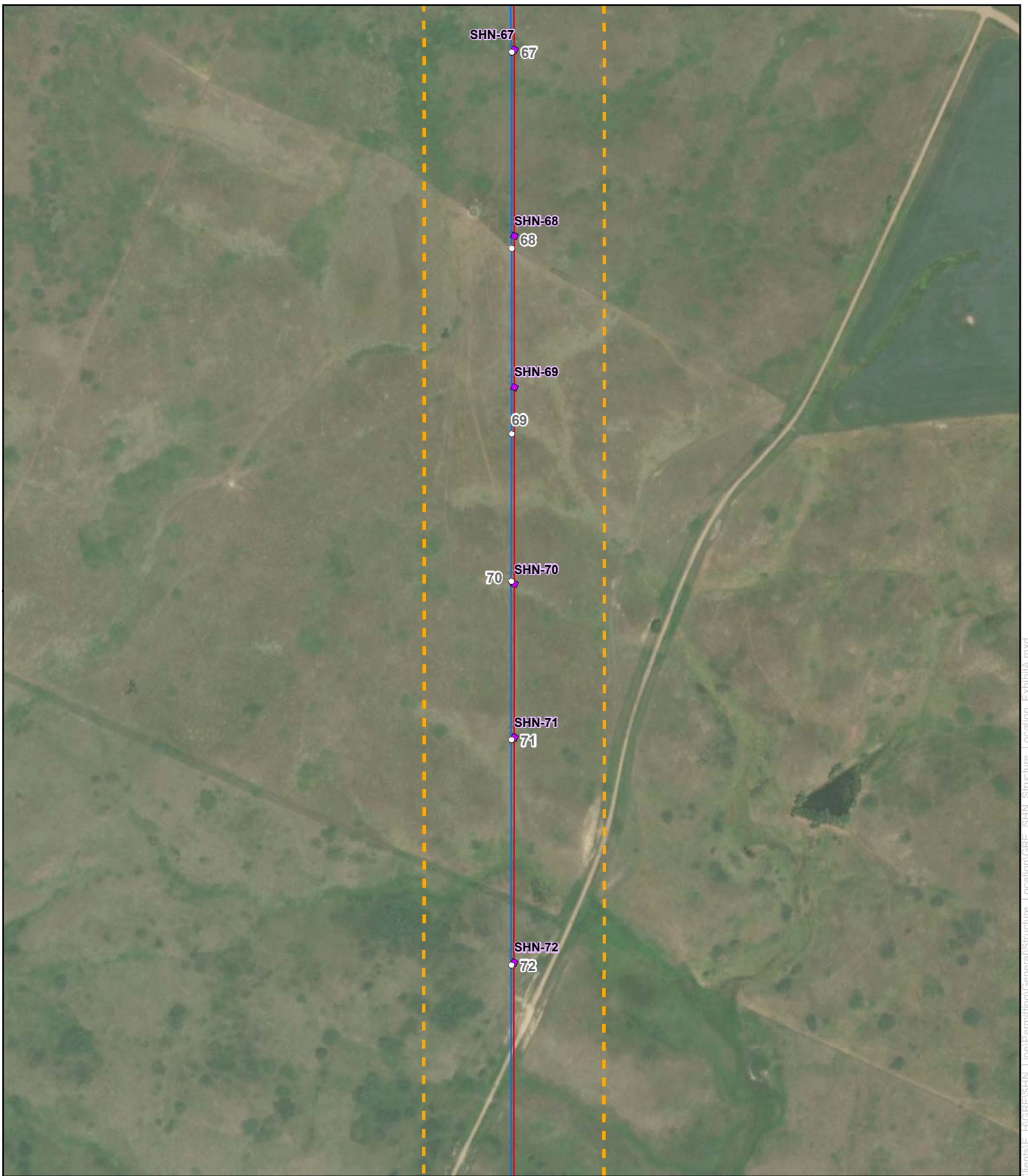
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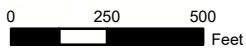
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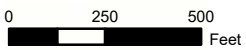
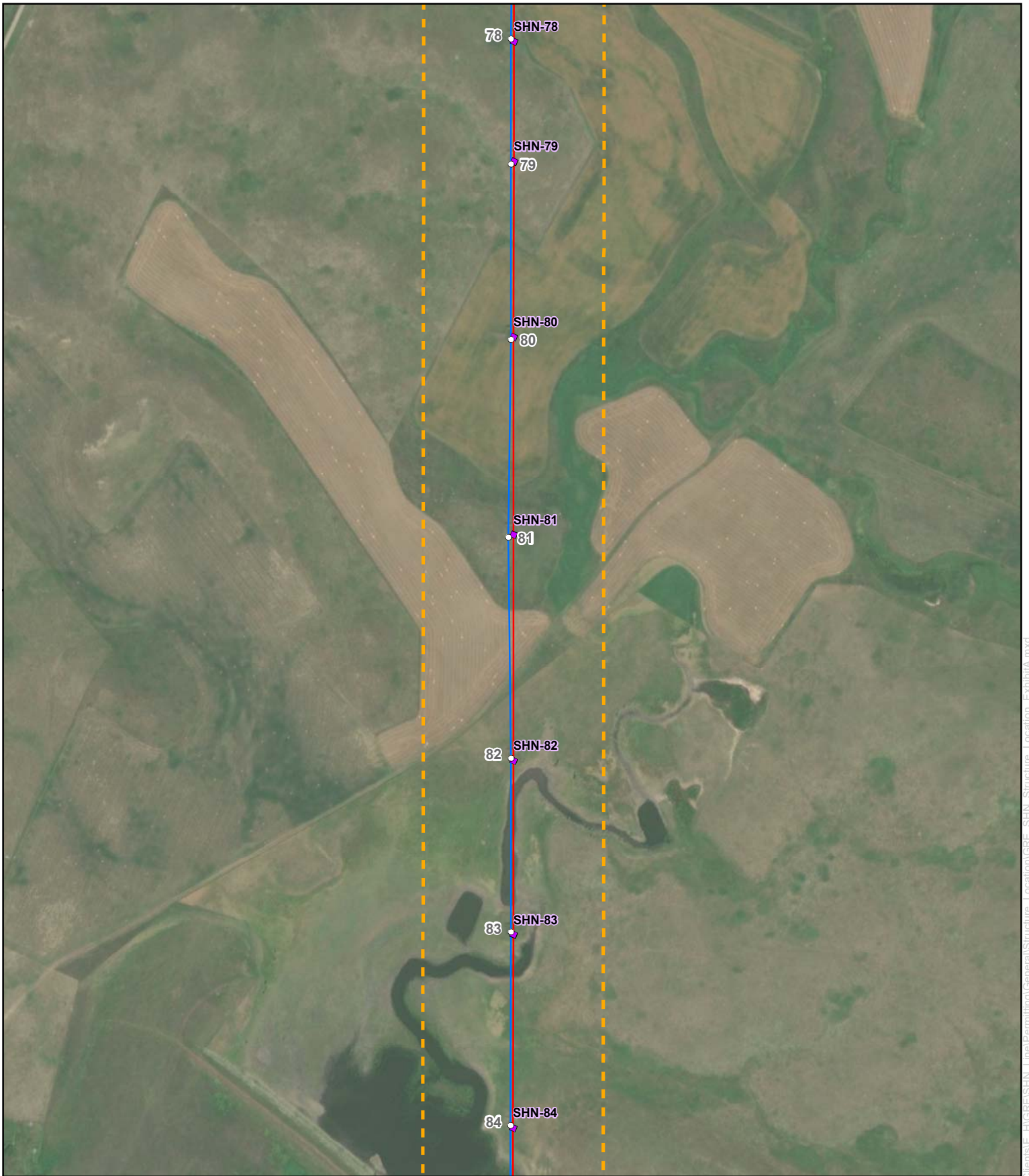
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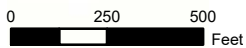
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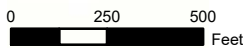
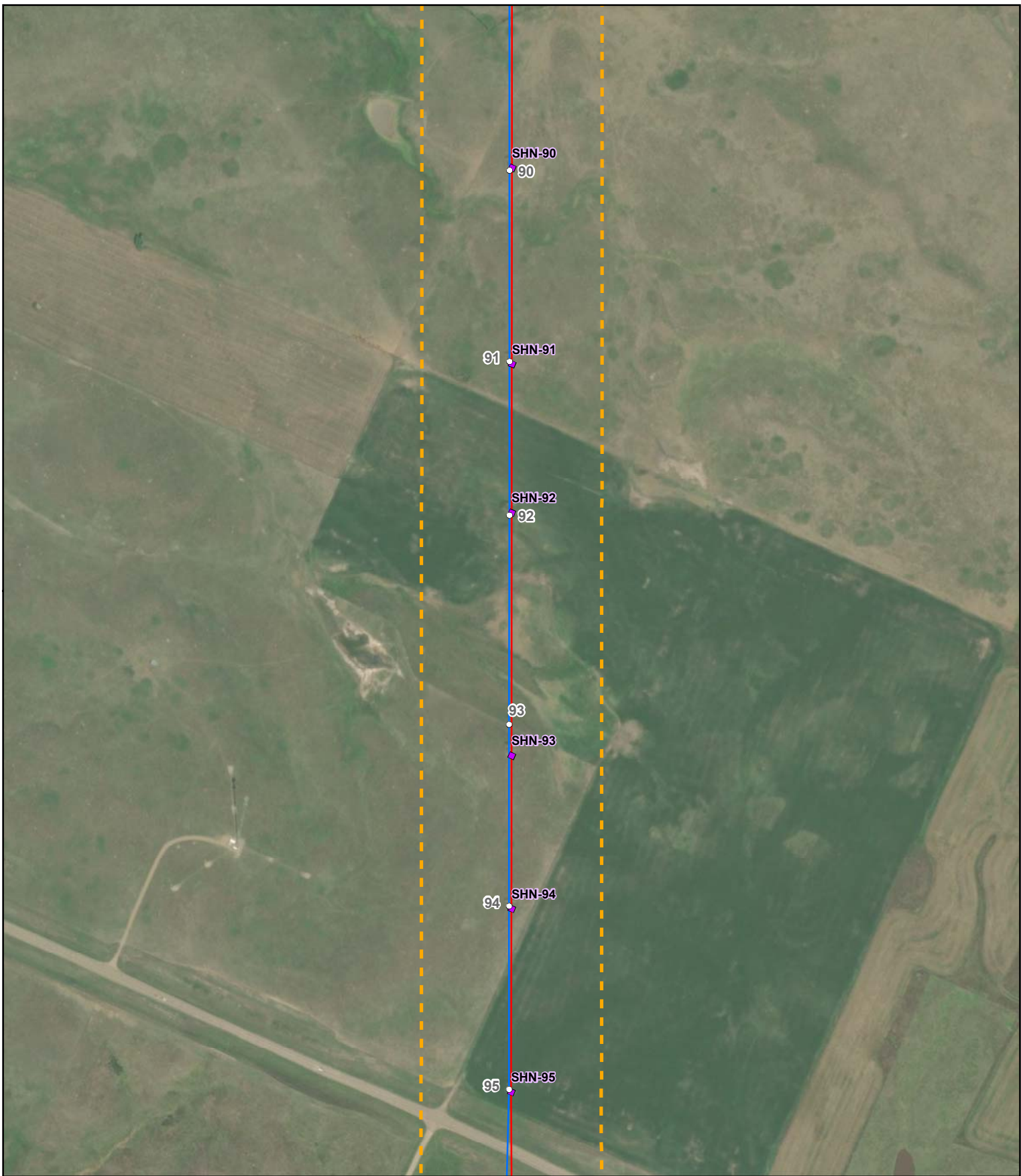
**GREAT RIVER ENERGY**



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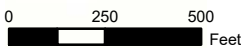
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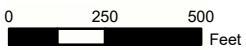
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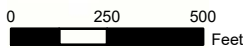
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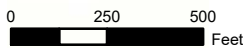
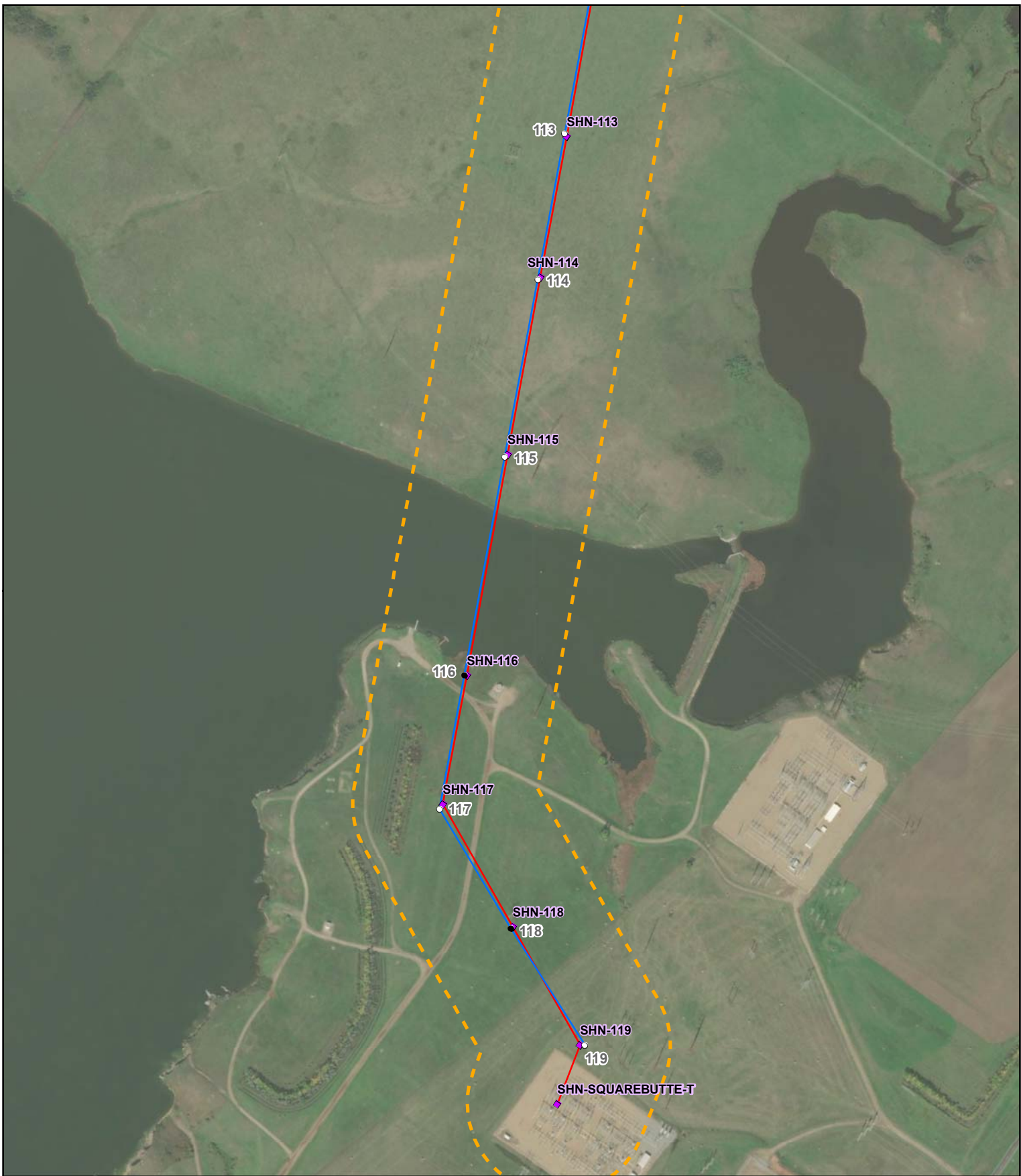
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September 2, 2020

Mr. William M. Harding  
Merjent Inc.  
1 Main Street SE  
Suite 300  
Minneapolis, MN 55414

**ND SHPO Ref.:20-6075 “A Class I and Class III Cultural Resource Inventory of SHN 230 kV Transmission Line Rebuild Project, Mercer and Oliver Counties, North Dakota” in portions of [T144N R84W Sections 16, 21, 22, 27-29, 33, & 34] [T143N R84W Sections 3, 4, 10, 11, 14, 15, 22-27, & 36] [T143N R83W Section 30] [T142N R84W Sections 1, 12, & 13] & [T142N R83W Sections 6, 7, 17, 18, 20, 28, 29, & 33]**

Dear Mr. Harding,

We reviewed ND SHPO Ref.:20-6075 “A Class I and Class III Cultural Resource Inventory of SHN 230 kV Transmission Line Rebuild Project, Mercer and Oliver Counties, North Dakota” in portions of [T144N R84W Sections 16, 21, 22, 27-29, 33, & 34] [T143N R84W Sections 3, 4, 10, 11, 14, 15, 22-27, & 36] [T143N R83W Section 30] [T142N R84W Sections 1, 12, & 13] & [T142N R83W Sections 6, 7, 17, 18, 20, 28, 29, & 33] and find the report by William M. Harding acceptable. We concur with a determination of “No Historic Properties Affected” for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or [lsteckler@nd.gov](mailto:lsteckler@nd.gov)

Sincerely,

for William D. Peterson, PhD  
State Historic Preservation Officer  
(North Dakota)

20-6075