

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Minnesota Power
202.5 MW Longspur Wind Project – Morton County
Siting Application

Case No. PU-25-304

Minnesota Power
Longspur Wind 230kV Trans Ln - Morton & Mercer Cty
Siting Application

Case No. PU-25-305

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

August 12, 2026

Appearances

Commissioners Randy Christmann, Sheri Haugen-Hoffart, and Jill Kringstad.

Erik J. Edison and Wade C. Mann, Crowley Fleck PLLP, 100 West Broadway Avenue, Suite 250, Bismarck, North Dakota 58501, on behalf of Applicant Minnesota Power.

Zachary Pelham, Special Assistant Attorney General, 600 E. Boulevard Ave., Dept. 408, Bismarck, North Dakota 58505-0480, North Dakota Public Service Commission.

Hope L. Hogan, Administrative Law Judge, Office of Administrative Hearings, 2911 North 14th Street, Suite 303, Bismarck, North Dakota 58503, as Procedural Hearing Officer.

Preliminary Statement

On December 30, 2025, in Case No. PU-25-304, Minnesota Power filed an Application for a Certificate of Site Compatibility (Wind Application) for a 202.5 megawatt (MW) wind energy conversion facility and associated facilities known as the Longspur Wind Project (Wind Project), to be located in Morton County, North Dakota.

On December 30, 2025, in Case No. PU-25-305, Minnesota Power filed a Combined Application for a Certificate of Corridor Compatibility and Route Permit (Transmission Line Application) for an approximately 2.5-mile 230kV electric transmission line and associated facilities (Transmission Project), to be located in Morton and Mercer Counties, North Dakota.

On March 5, 2026, the North Dakota Public Service Commission (Commission) issued a Notice of Filings and Notice of Consolidated Public Hearing (Notice) for the Wind Project and Transmission Project (collectively, the Projects) and scheduled a consolidated public hearing for May 18, 2026, at 10:00 a.m. Central Time, at the Glen Ullin City Auditorium, 119 Main Street North, Glen Ullin, North Dakota 58631.

The Notice identified the following issues to be considered with respect to the Applications:

1. Will the location and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facilities' locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

On May 18, 2026, a public hearing on the Applications for the Projects was held as scheduled. Exhibits 1 through 16 were entered into the record at the hearing.

On June 12, 2026, Minnesota Power filed Late-Filed Exhibit 17.

Having allowed all interested persons an opportunity to be heard, and having heard, reviewed, and considered all testimony and evidence presented, the Commission makes the following:

Findings of Fact

1. Minnesota Power is a business unit of ALLETE, Inc., a Minnesota corporation. ALLETE, Inc. is authorized to do business in the State of North Dakota as evidenced by the Certificate of Good Standing issued by the North Dakota Secretary of State and filed with the Commission in Case No. PU-25-306.
2. Minnesota Power will own and operate the Projects.

Size, Type, and Preferred Location - Wind Project

3. The Wind Project consists of approximately 26,100 acres of land in Morton County, North Dakota as depicted in Exhibit 8, Attachment L (Wind Project Area). The Wind Project consists of up to 45 primary turbines and 12 alternative turbine locations and will have a nameplate capacity of up to 202.5 MW.

4. Minnesota Power anticipates utilizing Vestas 4.5 MW wind turbines. The Vestas 4.5 MW wind turbines will have a 370.7-foot hub height and measure 638.2 feet from the base of the tower to the tip of the upright blade. Each turbine will be grounded and shielded to protect the equipment from lightning strikes.
5. Additional facilities associated with the Wind Project include access roads to turbine locations, underground electrical collection and communication systems, a collection substation, an operations and maintenance building, one permanent meteorological tower, and one permanent Aircraft Detection Lighting System (ADLS) radar system tower.
6. The power from the wind turbines will be run through an underground 34.5kV collection system. The collection system will terminate at the collector substation where the voltage will be stepped up from 34.5kV to transmission line voltages for interconnection to the transmission grid.
7. The Wind Project will interconnect to the grid at the existing Tri-County 230kV Substation in Mercer County, North Dakota utilizing the Transmission Project.
8. The Wind Project will have Supervisory Control and Data Acquisition (SCADA) system for remote monitoring, reporting, troubleshooting, and control of turbine equipment and performance.
9. Minnesota Power anticipates a December 2027 in-service date for commercial operation of the Wind Project.
10. The estimated cost to construct the Wind Project is approximately \$780 million.

Size, Type, and Preferred Location - Transmission Project

11. The Transmission Project is an approximately 2.5-mile-long 230kV electric transmission line and associated facilities of which approximately 2.1 miles are located in Morton County and approximately 0.37 miles are located in Mercer County, North Dakota as depicted in Exhibit 2, Figure 15.
12. The Transmission Project corridor is generally 158 feet to 510 feet in width with the additional width to accommodate the crossing requirements of existing utilities (Transmission Project Corridor). The Transmission Project Corridor encompasses approximately 74 acres.
13. The Transmission Project will originate at the Wind Project collection substation in Morton County and terminate at the interconnection with the existing Tri-County 230kV Substation in Mercer County, North Dakota.

14. The Transmission Project will be constructed using approximately 18 transmission line structure locations, which primarily include steel monopole structures. The average height of a single pole structure is 95 feet and will range from approximately 85 to 105 feet. All structure foundations will be concrete drilled piers. The span between structures will average approximately 750 feet.
15. Minnesota Power anticipates a December 2027 in-service date for commercial operation of the Transmission Project.
16. The estimated cost to construct the Transmission Project is approximately \$10.9 million.

Study of Preferred Location - Wind Project

17. Minnesota Power conducted natural resource desktop and field surveys within the Wind Project Area. The surveys gathered information on soils, land use and vegetation, wetlands and waterbodies, woodlands, trees and shrubs, and wildlife, including protected species and critical habitats.
18. Minnesota Power filed the following environmental reports in support of the Wind Application which contain the results of various wildlife and habitat surveys and studies as follows. Results of the studies were used in siting to avoid or minimize impacts.
 - a. Avian Use Study: Minnesota Power conducted an avian use study to evaluate use of the Wind Project Area by avian species, such as waterfowl, grassland nesting birds, raptors, and eagles. The assessment concluded relatively low avian use across seasons and limited activity by species of concern. Eagle use was limited within the Wind Project Area and no consistent eagle flight patterns were observed.
 - b. Sharp-tailed Grouse Lek Surveys: Minnesota Power conducted two years of sharp-tailed lek surveys to document the number and location of grouse leks within the Wind Project Area and a two-mile buffer of the Wind Project boundary to help inform avoidance and minimization efforts.
 - c. Northern Long-Eared Bat (NLEB) Surveys: Minnesota Power conducted a NLEB desktop habitat assessment and presence/probable absence surveys in support of the Wind Project. No NLEB were detected during United States Fish and Wildlife Service (USFWS) approved Presence/Probable Absence surveys or confirmed during the general bat acoustic surveys.
 - d. Dakota Skipper Habitat Assessment: Minnesota Power conducted a Dakota skipper habitat assessment. The assessment identified and described approximately 21 acres of suitable Dakota skipper habitat within survey areas

within the Wind Project Area. The Wind Project has been sited to avoid impacts to all suitable Dakota skipper habitat.

- e. Grassland Assessment: Minnesota Power conducted an unbroken grassland assessment to assess grassland types within the Wind Project Area and summarize the desktop assessment and field surveys. Unbroken grasslands are located within the Wind Project Area. All 45 primary wind turbines and 12 alternative turbine locations avoid unbroken grasslands.
- f. Whooping Crane Habitat Assessment: Minnesota Power conducted a whooping crane habitat assessment to evaluate potential whooping crane habitat use within the Wind Project Area. The assessment concluded the probability of use is low in any given year and that impacts are unlikely.
- g. Eagle and Raptor Nest Survey Reports: Minnesota Power conducted two years of aerial and ground-based surveys to document eagle and raptor nest locations. No eagle nests were identified within the Wind Project Area as a result of the surveys. If construction activities were to occur during the breeding season, surveys will be conducted for suitable nesting habitat prior to construction activities to identify any active nest sites within 1 mile of bald eagle nests and 0.5 miles within other raptor nests. If applicable, protection measures, such as including seasonal constraints and buffer areas will be implemented at active nest sites until the young have fledged and have dispersed from the nest. These measures will be implemented in coordination with applicable state and federal agencies.
- h. Wetlands and Waterbody Assessment: Minnesota Power conducted surveys to identify and describe wetlands and other waters delineated in the Wind Project Area. The Wind Project has been sited to avoid and minimize impacts to wetlands and other waters to the greatest extent practicable.

19. Minnesota Power used the USFWS Information for Planning and Conservation tool and onsite surveys to identify the potential for occurrence of threatened or endangered species or their designated critical habitat within the Wind Project Area. This tool identified four threatened or endangered species that could potentially occur within the Wind Project Area: piping plover (threatened), rufa red knot (threatened), whooping crane (endangered), and Dakota skipper butterfly (threatened). The northern long eared bat (endangered) was identified in early project coordination as possibly occurring in the Wind Project Area. Minnesota Power's studies and surveys concluded the Wind Project Area lacks suitable habitat for the piping plover and rufa red knot and they are unlikely to occur. Impacts are not anticipated to the whooping crane, Dakota skipper butterfly, and NLEB based on Minnesota Power's siting and mitigation measures. No designated critical habitat for threatened or endangered species is located within the Wind Project Area.

20. Trees and shrubs are located within the Wind Project Area. Minnesota Power has sited the Wind Project to avoid impacts to trees and shrubs to the extent practicable. Tree or shrub removal and replacement will be coordinated with landowners and conducted in accordance with the Commission's Tree and Shrub Mitigation Specifications. Minnesota Power requested to clear trees and shrubs in 11 locations within the Wind Project that exceed the Commission's 50-foot clearance limitation as depicted in Late-Filed Exhibit 17.

21. Minnesota Power conducted a Class I Literature Search within a one-mile radius of the study area to identify previously recorded archaeological sites identified during previous surveys.

22. Minnesota Power conducted Class III Cultural Resource Inventories for archaeological resources for areas to be temporarily and permanently impacted by the Wind Project and submitted the reports to the North Dakota State Historical Preservation Office (SHPO). On December 22, 2025, and April 17, 2026, SHPO issued letters for archaeological resources located within the Wind Project Area and on April 17, 2026, SHPO determined "there are no significant sites affected by this project provided the 23 sites listed in the Class III reports are avoided by at least 50 feet and the project takes place in the location and in the manner described in the documentation". Minnesota power testified they will use fencing to maintain buffers around sites that are in close proximity to project infrastructure.

23. Minnesota Power conducted an architectural history study of the Wind Project to assess potential visual impacts from proposed turbines on historically significant architectural resources inventory through a Class II Architectural Study. The study was conducted within two miles of wind turbine locations. The study concluded that no historically significant sites will be adversely affected by the Wind Project, due to existing impacts from nearby wind turbines and other existing infrastructure on the landscape. On April 17, 2026, SHPO accepted the report.

24. Minnesota Power conducted a sound study to assess whether sound levels from the Wind Project will exceed 45 A-weighted decibels (dBA) within 100 feet of an existing inhabited residence or community building (receptor) pursuant to N.D. Admin. Code § 69-06-08-01(4). The study included all 45 primary and 12 alternate turbine locations. All receptors, both participating and non-participating, are modeled below 45 dBA within 100 feet of the receptor. Accordingly, sound levels within 100 feet of an inhabited residence or community building will not exceed 45 dBA, unless waived in writing by the owner of such residence or building. Minnesota Power will file an updated acoustic analysis prior to the commencement of construction that reflects the final Wind Project turbine array selected.

25. Minnesota Power conducted a shadow flicker analysis for the Wind Project Area. The analysis included all 45 primary and 12 alternate turbine locations. Based on the shadow flicker analysis, four receptors are modeled to exceed 30 hours per year of

shadow flicker. Minnesota Power will file an updated shadow flicker analysis prior to the commencement of construction that reflects the final Wind Project turbine array selected. If the final shadow flicker analysis contains exceedances of the Commission's accepted 30 hour per year or less standard, Minnesota Power will either secure a written waiver from the owner of the residence or building, or will employ mitigative measures such as curtailment to meet 30 hours per year of shadow flicker or less at the existing receptors identified in Exhibit 8, Attachment J.

26. Minnesota Power evaluated North Dakota Geological Survey (NDGS) landslide mapping data to assess areas of potential geologic instability within the Wind Project. NDGS data identified several landslide deposits in the southeastern and western portions of the Wind Project Area. No infrastructure is located in areas where landslide deposits are present.

27. Minnesota Power conducted a microwave study and a telecommunications study to identify all published Federal Communications Commission microwave telecommunications systems in proximity of the Wind Project Area. Based on the results of this study, impacts to these systems are not anticipated from the Wind Project's turbines.

28. Minnesota Power has obtained Determinations of No Hazard from the Federal Aviation Administration (FAA) for all primary and alternate Wind Project turbines. Minnesota Power will obtain a Determination of No Hazard from the FAA for the ADLS radar tower prior to operation of the Project.

Study of Preferred Location - Transmission Project

29. The study corridor for the Transmission Project consisted of a one-mile-wide area centered on the Transmission Project route (Transmission Study Area).

30. Minnesota Power conducted a desktop evaluation on the Transmission Study Area for soils, wetlands and waterbodies, trees and shrubs, and protected species and critical habitats.

31. Minnesota Power filed the following environmental reports in support of the Transmission Application which contain the results of various wildlife and habitat surveys and studies that were conducted to include the Transmission Study Area. Results of the studies were used in siting to avoid or minimize impacts.

- a. Sharp-tailed Grouse Lek Surveys: Minnesota Power conducted two years of sharp-tailed lek surveys to document number and location of grouse leks within the Transmission Project Corridor and a two-mile buffer of the Transmission Study Area to help inform avoidance and minimization efforts. No leks were identified within the Transmission Project Corridor.

- b. Northern Long-Eared Bat (NLEB) Surveys: The northern long-eared bat habitat assessment, in accordance with communication from USFWS's North Dakota Ecological Field Office staff in 2024 and USFWS's 2024 Range-Wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines, included 30,696 acres which covered a majority of the Transmission Project Corridor. No NLEB were detected during USFWS approved Presence/Probable Absence surveys or confirmed during the bat acoustic surveys.
- c. Dakota Skipper Habitat Assessment: Minnesota Power conducted a Dakota skipper habitat assessment within the Transmission Project Corridor. The assessment identified no suitable habitat.
- d. Grassland Assessment: Minnesota Power conducted an unbroken grassland assessment to assess grassland types within the Transmission Line Corridor and summarize the desktop assessment and field surveys. The Transmission Project has been sited to avoid impacts to unbroken grasslands to the greatest extent practicable. Two transmission lines structures are located within unbroken grasslands and minimal adverse impacts are anticipated.
- e. Whooping Crane Habitat Assessment: Minnesota Power conducted a whooping crane habitat assessment to evaluate potential whooping crane habitat use. The assessment concluded the probability of use is low in any given year and that impacts are unlikely.
- f. Eagle and Raptor Nest Survey Reports: Minnesota Power conducted two years of aerial and ground-based surveys to document eagle and raptor nest locations. No eagle nests were identified within the Transmission Study Area as a result of the surveys.
- g. Wetlands and Waterbody Assessment: Minnesota Power conducted surveys to identify and describe wetlands and other waters delineated in the Transmission Project Corridor. The Transmission Project has been sited to span all wetlands, and no impacts are anticipated.

32. Minnesota Power used the U.S. Fish and Wildlife Service Information for Planning and Conservation tool and onsite surveys to identify the potential for occurrence of threatened or endangered species or their designated critical habitat within the Transmission Project Corridor. This tool identified four threatened or endangered species that could potentially occur within the Transmission Project Corridor: piping plover (threatened), rufa red knot (threatened), whooping crane (endangered), and Dakota skipper butterfly (threatened). Minnesota Power's studies and surveys concluded the Transmission Project Corridor lacks suitable habitat for the piping plover and rufa red knot. Impacts are not anticipated to the whooping crane and Dakota skipper butterfly based on Minnesota Power's siting and mitigation measures. No designated critical

habitat for threatened or endangered species is located within the Transmission Project Corridor.

33. Trees and shrubs are located within the Transmission Project Corridor. Minnesota Power has sited the Transmission Project to avoid impacts to trees and shrubs to the extent practicable. Tree or shrub removal and replacement will be conducted in accordance with the Commission's Tree and Shrub Mitigation Specifications.

34. Minnesota Power conducted a Class I Literature Search for the Project Corridor plus a one-mile buffer to identify previously recorded archaeological sites identified during previous surveys.

35. Minnesota Power conducted Class III Cultural Resource Inventories for areas to be temporarily and permanently impacted by the Transmission Project and within the Transmission Project Corridor. The Class III reports were submitted to the SHPO. On December 22, 2025, and April 17, 2026, the SHPO issued letters for archaeological resources located within the Transmission Project Corridor and on April 17, 2026, SHPO determined "there are no significant sites affected by this project provided the 23 sites listed in the Class III reports are avoided by at least 50 feet and the project takes place in the location and in the manner described in the documentation". Minnesota power testified they will use fencing to maintain buffers around sites that are in close proximity to project infrastructure.

36. Minnesota Power evaluated NDGS landslide mapping data to assess areas of potential geologic instability within the Transmission Project Corridor. No NDGS mapped landslides were identified within the Transmission Project Corridor.

Agency Consultations

37. Minnesota Power sent coordination letters to the federal, state, and local departments, agencies, and entities designated in N.D. Admin. Code § 69-06-01-05. The agencies and entities that provided comment in response are as follows:

- a. Federal: U.S. Department of Agriculture and the Natural Resources Conservation Service;
- b. State: North Dakota Aeronautics Commission; North Dakota Department of Transportation; State Historical Society of North Dakota; North Dakota Parks and Recreation Department; North Dakota Department of Environmental Quality; North Dakota Geological Survey; North Dakota Department of Agriculture; North Dakota Department Game and Fish Department; North Dakota Department of Water Resources.
- c. Local: Morton County Board of County Commissioners and Mercer County Board of Commissioners

38. Minnesota Power has avoided, minimized, and/or mitigated impacts for all issues raised by local, state, and federal agencies and entities to the extent practicable. Agency,

department, and entity consultations are noted in the Application, exhibits, and testimony presented at the Projects' hearing.

39. Section 49-22-16(2)(a), N.D.C.C., provides that no energy conversion facility site shall be designated that violates any local land use, zoning, or building rules, regulations, or ordinances. Minnesota Power has obtained a special use permit from Morton County for the Wind Project, a copy of which is provided in Appendix D to the Wind Application. Minnesota Power additionally obtained a conditional use permit from Mercer County for the Transmission Project, a copy of which is provided in Appendix D to the Transmission Application.

Siting Criteria

40. The Commission has established criteria pursuant to N.D.C.C. § 49-22-05.1 to guide the Commission in evaluating the suitability of granting a Certificate of Site Compatibility. The criteria, as set forth in N.D. Admin. Code ch. 69-06-08, are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria.

41. An Exclusion Area is a geographic area that must be excluded in the consideration of a site for an electric energy conversion facility and a route for a transmission facility.

42. Minnesota Power's studies and surveys did not identify any Exclusion Areas within the Wind Project Area or the Transmission Project Corridor.

43. An Avoidance Area is a geographic area that may not be approved as a site for an electric energy conversion facility or in the routing of a transmission line unless the applicant demonstrates that under the circumstances there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts, the orderly siting of facilities, system reliability and integrity, the efficient use of resources, and alternative sites.

44. Historical resources are Avoidance Areas. Minnesota Power's studies and surveys identified historical resources present within the Wind Project Area and Transmission Project Corridor. Minnesota Power has sited the Wind Project and Transmission Project to avoid impacts to historical resources.

45. Geologically unstable areas are Avoidance Areas. Minnesota Power's studies and surveys identified geologically unstable areas within the Wind Project Area. Areas deemed as landslide deposits mapped by the North Dakota Geological Survey (NDGS) are within the Wind Project Area. Minnesota Power has sited the Wind Project to avoid impacts to geologically unstable areas. No wind turbines or associated Wind Project infrastructure has been sited within mapped landslide deposits.

46. 100-year floodplains are Avoidance Areas. Minnesota Power's studies and surveys identified 100-year floodplains within the Wind Project Area and Transmission Project Corridor. Minnesota Power has sited Wind Project and Transmission Infrastructure to avoid or bore these areas to the greatest extent practicable. Overall permanent impacts to 100-year floodplains are anticipated to be negligible and total approximately 2.17 acres. These areas are identified and discussed in Exhibit 8, Pre-Filed Testimony of Alexander Luman, Table 1 and Exhibit 8, Attachment M. Placement of infrastructure in the locations identified results from siting constraints to avoid impacts to other avoidance areas or sensitive features or are in response to landowner requests. For the reasons discussed in the Wind Project Application (Exhibit 1, Section 6.7.2, pgs. 58-59), pre-filed and hearing testimony, and supportive filings, there are no reasonable alternatives to avoid impacts to the locations identified. Permanent facility impacts are addressed below:

TABLE 1				
Longspur Wind – Permanent Impacts in 100-Year Floodplain Avoidance Areas				
Floodplain Grouping ID	Project Infrastructure Type	Impact Area (Acres)	Map Page	Basis for Unavoidable Impacts
1	Access Road to T15, T16	0.056	20, 24	Linear floodplain area 1 cannot be avoided entirely; design minimizes impacts to broken and unbroken grasslands and to wetland and floodplains; design avoids farmstead to east; road on property line minimizes impacts to each property.
2	Access Road to T17	0.015	20, 24	Floodplain 2 cannot be avoided entirely; alignment follows the section line; design minimizes farming impacts and avoids an existing well water line.
3	T5	0.073	10	Floodplain 3 cannot be avoided entirely; turbine placement reduces potential impacts to floodplains further east and meets required setback distances from the west.
7	Access Road to T16	0.018	20	Access road alignment avoids removal of trees and is responsive to landowner preference.
10	Access Road to T13	0.014	14, 20	Access road alignment avoids impacts to farming practices and is responsive to landowner preference.
11	Access Road to T12	0.039	10, 15	Access road alignment follows an existing field road and minimizes impacts to farming practices while reducing overall infrastructure impacts.
16	Access Road to T47	0.005	11	Access road alignment is responsive to landowner preference and addresses safety concerns from area topography.
19	O&M Facility	0.382	6	O&M facility has been sited to avoid wetland impacts to the northwest and to avoid existing county infrastructure to the east.
32	Project Substation	0.159	1, 6	Substation has been sited to avoid wetland and cultural resource impacts to the southwest and avoids existing county infrastructure to the east.
50	Access Road to PMM1	0.0003	2	Direct route selected at the request of the landowner and minimizes impacts to farming operations.
52	PMM1	0.042	2	Met tower placed to meet setback requirements from existing turbines; allows for collection of meteorological data for the Wind Project.
55	T61	1.271	18, 19	Turbine placement reflects landowner preference and addresses safety concerns related to site topography.
56	Access Road to T40	0.008	13	Access road alignment minimizes disturbance to farming practices; impacted floodplain is in a road ditch and the access road alignment avoids larger floodplain areas in the farm field; crosses existing infrastructure at a constrained location.
57	Access Road to T27	0.0007	4, 8	Access road alignment creates a direct route to infrastructure, thereby minimizing disturbance to farming practices. Impacted floodplain is in a road ditch.
59	Access Road to T24	0.007	3	Access road alignment creates a direct route to infrastructure, thereby minimizing disturbance to farming practices. Alignment is responsive to landowner preference.

47. Wetlands are Avoidance Areas. Minnesota Power's studies and surveys identified wetlands within the Wind Project Area and Transmission Project Corridor. Minnesota Power has sited Wind Project and Transmission infrastructure to avoid wetlands to the greatest extent practicable. Overall impacts to wetlands are anticipated to be negligible. These areas are identified and discussed in Exhibit 8, Pre-Filed Testimony of Alexander Luman, Table 2 and Exhibit 8, Attachment N. Placement of infrastructure in the locations identified results from siting constraints to avoid impacts to other avoidance areas or sensitive features or are in response to landowner requests. Temporary wetland impacts will occur from crane paths and access roads and total approximately 2.22 acres. Permanent wetland acres total approximately 0.27 acres and are associated with access roads. Access road alignments for several turbines are constrained by existing roadways, topography, wetlands, waterbodies, and landownership limitations. In some locations, existing road curves or terrain cannot safely accommodate large construction equipment, necessitating alternate access routes. Where wetlands are present, access road alignments have been selected to minimize impacts using the most direct routes and crossing wetlands at their narrowest feasible points. For the reasons discussed in the Wind Project Application (Exhibit 1, Section 6.7.2, pgs. 56-58), pre-filed and hearing testimony, and supportive filings, there are no reasonable alternatives to avoid impacts to the locations identified. Permanent facility impacts are addressed below:

- a. Wetland 012. An access road is anticipated to impact approximately 0.262 acres of this wetland. Due to higher topography north and south of the access road alignment, significant grading would be required to avoid the wetland resulting in greater impacts to the land. In addition, the access road alignment was requested by the applicable landowner to minimize impacts to farming practices.
- b. Wetland 015. A permanent access road is anticipated to impact 0.0003 acres of this wetland. Wetland W015 is a farmed / cropped wetland, usually dry and farmable but intermittently (seasonally) wet. The access road alignment was requested by the applicable landowner.
- c. Wetland 059. A permanent access road is anticipated to impact 0.08 acres of this wetland. Wetland W058 is a linear wetland that extends far north and south and cannot be avoided entirely. The crossing location is the least impactful routing option to surrounding land uses.
- d. Wetland 063. A permanent access road is anticipated to impact 0.036 acres of this wetland. Wetland W063 is a linear wetland that extends far north and south and cannot be avoided entirely. The access road alignment minimizes impacts on grasslands and the crossing location represents the least impactful option to the wetland. The routing avoids the farmstead to the east and is located on a property line to minimize additional land use impacts to each adjoining property.

- e. Wetland 068. A permanent access road is anticipated to impact 0.611 acres of this wetland. The access road alignment was requested by the landowner as the least impactful to farming practices. Wetland W068 is a farmed wetland.
- f. Wetland 069. A permanent access road is anticipated to impact 0.046 acres of this wetland. The access road alignment was requested by the landowner as the least impactful to farming practices. Wetland W069 is a farmed wetland.

48. No additional Avoidance Areas were identified within the Wind Project Area or the Transmission Project Corridor.

49. In accordance with the Commission's Selection Criteria, as provided under N.D. Admin. Code §§ 69-06-08-01(5) and 69-06-08-02(3), sites, corridors, and routes shall be designated if it is demonstrated that any significant adverse effects resulting from the location, construction, and operation of the facility will be at an acceptable minimum, or that the effects will be managed and maintained at an acceptable minimum.

50. The Projects will not have significant adverse impacts on public services or health and safety in the affected area.

51. During construction, the Projects may result in a temporary increase in traffic on county roads. Minnesota Power will enter into a road use agreement with Morton County to minimize impacts to roads. Minnesota Power will implement dust mitigation measures as needed during construction to minimize impacts. During operation, no adverse effects to transportation facilities or networks are anticipated.

52. The Projects are not anticipated to have a significant adverse impact on surface or ground water resources or soils. Temporarily disturbed areas will be restored and seeded.

53. The Projects will not have a significant adverse impact on the Selection Criteria set forth in N.D. Admin. Code. §§ 69-06-08-01(5) and 69-06-08-02(3).

54. The Commission's Policy Criteria are set forth in N.D. Admin. Code §§ 69-06-08-01(6) and 69-06-08-02(4). The Commission may give preference to an application that demonstrates certain benefits of the facility. There is no need for the Commission to give preference to the applicant in this proceeding.

Additional Mitigative Measures

55. Minnesota Power has agreed to take certain steps to mitigate the impact of the Wind Project and Transmission Project as indicated by the attached Certifications Relating to Order Provisions with accompanying Tree and Shrub Mitigation Specifications.

56. Minnesota Power incorporated the United States Fish and Wildlife Service's voluntary Land Based Wind Energy Guidelines five-tiered approach and recommendations set forth in developing the Wind Project to avoid, minimize, and mitigate potential adverse effects.

57. Minnesota Power has developed a voluntary Wildlife Conservation Strategy to help evaluate risk to wildlife, document efforts taken to reduce potential impacts through avoidance, minimization, and mitigation efforts, and establish post-construction monitoring efforts. Minnesota Power provided the Wildlife Strategy to NDGFD for review 100 days prior to the NDPSC hearing as requested, and no additional mitigation was requested.

58. Minnesota Power has followed NDGFD Key Wind Energy Development in North Dakota Best Management Practices guidance, including no siting of turbines in nesting habitat, such as broken and unbroken grasslands, within a two-mile buffer from sharp-tailed grouse leks. Additionally, Minnesota Power will avoid the installation of collection lines in nesting habitat within one mile of leks during the breeding season to minimize potential disturbance to lekking or nesting.

59. Minnesota Power will voluntarily implement line marking on the Transmission Line in accordance with Avian Power Interaction Committee recommended best practices to avoid and minimize potential impacts to avian species. Minnesota Power coordinated its transmission line marking strategy with NDGFD.

60. Minnesota Power has coordinated with the USFWS and NDGFD since December of 2024 regarding wildlife studies, and Wind Project avoidance and minimization related to potential impacts to wildlife and avian species and habitat.

61. Minnesota Power will conduct a raptor nest survey prior to the start of construction to identify active raptor nests, and implement avoidance buffers, to the extent practicable.

62. Minnesota Power will conduct training regarding whooping crane identification and siting reporting. All employees and contractors working in the field will participate in whooping crane training prior to working on site. In the event a whooping crane is observed or reported within one mile of active construction, all construction activities within 1-mile of the reported whooping crane will halt until the bird(s) have departed for at least 15 minutes.

63. Minnesota Power has implemented avoidance, minimization, and mitigation measures to avoid and minimize environmental and wildlife impacts during construction and operations of the Projects. These measures are discussed in detail in Exhibit 8, Attachment F, pages 5 – 10.

64. To further mitigate indirect impacts, Minnesota Power has entered into a voluntary Memorandum of Understanding with the NDDA to provide compensatory mitigation to the

NDDA's Voluntary Compensatory Mitigation Fund for the Agriculture Department to develop and implement mitigation offsets in relation to the Wind Project.

65. Minnesota Power developed a noxious weed management plan to manage the spread of weeds during the Projects' construction and restoration. Minnesota Power submitted the plan to Mercer and Morton County's weed control officers and the plan has been approved in both counties.

66. Minnesota Power has sited the Project to comply with the Commission and Morton County's setbacks. Based on the current Wind Project layout, as depicted in Hearing Exhibit No. 2, all Project turbines are located at least 1,915 feet (three times maximum turbine tip height) from currently occupied residences of nonparticipating landowners. The distance to the nearest existing non-participating residence to a turbine is approximately 2,100 feet.

67. Subject to FAA approval, Minnesota Power will install and operate an ADLS or other technology suitable to the Commission on the Wind Project in accordance with N.D.C.C. § 49-22-16.4.

68. The Wind Project's operations will be managed by on-site operations staff and remotely via the SCADA system. Remote staff will control, monitor, operate, and maintain the Wind Project by means of a SCADA computer software program and can shut down turbines if necessary. The Wind Project will be monitored 24 hours a day, 7 days a week.

69. Minnesota Power has prepared an Unanticipated Discoveries Plan that outlines the procedure utilized to address any unanticipated discoveries of cultural resources, including possible human remains during construction of the Projects.

70. Minnesota Power will participate in the North Dakota One-Call Excavation Notice System.

71. The Projects will be constructed pursuant to National Electrical Safety Code (NESC) and National Electric Code (NEC) requirements.

72. Minnesota Power will comply with the Commission's decommissioning rules for the Wind Project, including the financial assurance and decommissioning plan requirements.

From the foregoing Findings of Fact, the Commission now makes the following:

Conclusions of Law

1. The Commission has jurisdiction over Minnesota Power and the subject matter of the Applications under N.D.C.C. ch. 49-22.
2. Minnesota Power is a utility as defined in North Dakota Century Code § 49-22-03(16).
3. The Wind Project proposed by Minnesota Power is an electric energy conversion facility as defined in N.D.C.C. § 49-22-03(6)(a).
4. The Transmission Project proposed by Minnesota Power is an electric transmission facility as defined in N.D.C.C. § 49-22-03(7).
5. The Applications submitted by Minnesota Power for the Wind Project and the Transmission Project meet the site evaluation criteria as required by N.D.C.C. ch. 49-22.
6. The location and operation of the Projects will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.
7. The Projects will minimize adverse human and environmental impact, while ensuring continuing system reliability and integrity, and ensuring that energy needs are met and fulfilled in an orderly and timely fashion.
8. The Projects are compatible with environmental preservation and the efficient use of resources.

From the foregoing Findings of Fact and Conclusions of Law, the Commission now makes the following:

Order

The Commission orders:

1. Minnesota Power shall construct, operate and maintain the Projects in accordance with the Commission's Findings of Fact.
2. Certificate of Site Compatibility for an Energy Conversion Facility No. 75 is issued to Minnesota Power, designating a site for the construction, operation, and maintenance of a wind energy conversion facility known as the Longspur Wind Project corresponding to the Wind Project Area depicted in Exhibit 8, Attachment L in Morton County, North Dakota.

3. Within the permitted site, Minnesota Power is authorized to site and construct up to 45 wind turbines in proposed and alternative locations along with electric and communication lines, a substation, access roads, an operations and maintenance

building, and other associated facilities in Morton County, North Dakota, as identified in Exhibit 8, Attachment L.

4. If modifications are made to the Projects' layout, Minnesota Power shall complete a Class III Cultural Resource Survey for any previously un-surveyed portions of the designated site affected by the Wind Project and Transmission Project construction activities, in accordance with SHPO guidance, shall submit cultural resource findings to SHPO for review, and file a copy of SHPO's response with the Commission prior to beginning construction in said areas.

5. Minnesota Power shall site Wind Project turbines to meet the shadow flicker limit of 30 hours per year or less at each currently inhabited residence unless otherwise agreed to by the landowner. When a final turbine array is selected, or in the event Wind Project modifications occur that are not covered by the Wind Project's current shadow flicker analysis, Minnesota Power shall conduct further shadow flicker analysis to ensure this requirement is met unless otherwise agreed to by the landowner.

6. Minnesota Power shall comply with the Commission's Avoidance Area sound requirement of 45 dBA. When a final turbine array is selected, or in the event Wind Project modifications occur that are not covered by the Wind Project's current sound analysis, Minnesota Power shall conduct an acoustic analysis and file a report with the Commission that shows the predictive model results comply with the Commission's Avoidance Area sound requirement at all currently existing receptors, unless otherwise agreed to by the landowner.

7. Certificate of Corridor Compatibility No. 249 is issued to Minnesota Power designating a corridor ranging from 158 feet to 510 feet in width, for the construction, operation, and maintenance of an approximately 2.5-mile long 230kV transmission line and associated facilities in Morton and Mercer Counties, North Dakota, as depicted in Exhibit 2, Figure 15.

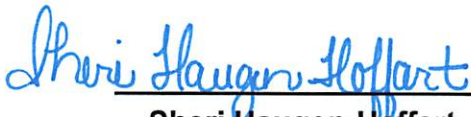
8. Route Permit No. 260 is issued to Minnesota Power designating a route in Morton and Mercer Counties, North Dakota, for the construction, operation, and maintenance of an approximately 2.5-mile long 230kV transmission line. The designated route for this purpose is as depicted in Exhibit 2, Figure 15.

9. Minnesota Power's Certifications Relating to Order Provisions with accompanying Tree and Shrub Mitigation Specifications, filed with the Commission as Exhibits 3 and 4, are incorporated by reference and attached to this Order. The Tree and Shrub Mitigation Specifications may be modified upon the mutual agreement of the Commission and Minnesota Power. The Commission authorizes Minnesota Power to clear trees and shrubs in areas exceeding 50 feet in width in the 11 locations designated in Late-Filed Exhibit 17.

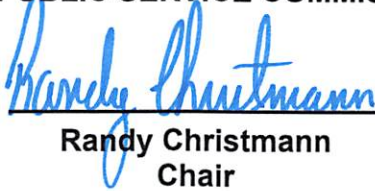
10. To the extent there are any conflicts or inconsistencies between Minnesota Power's Applications and the Certifications, the Certifications' provisions control.

11. Minnesota Power shall obtain all necessary licenses, permits, and the Determination of No Hazard from the FAA for the ADLS radar tower prior to commencing construction on such portion of the Projects for which the license, permit, or determination is required, and shall provide copies of such licenses, permits, and determinations to the Commission prior to construction of such portion.

PUBLIC SERVICE COMMISSION



**Sheri Haugen-Hoffart
Commissioner**



**Randy Christmann
Chair**



**Jill Kringstad
Commissioner**

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

Site Certificate Number 75

This is to certify that the Commission has designated a site for Longspur Wind Project for the construction, operation and maintenance of a wind energy conversion facility and associated facilities in Morton County, North Dakota.

This Certificate is issued in accordance with the Order of the Commission dated August 12, 2026, in Case No. PU-25-304 and is subject to the conditions and limitations noted in the Order.

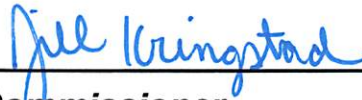
Bismarck, North Dakota, August 12, 2026.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Corridor Compatibility Number 249

This is to certify that the Commission has designated a transmission facility corridor for Minnesota Power for the construction, operation, and maintenance of an approximately 2.5-mile 230 kV transmission line and associated facilities in Morton and Mercer Counties, North Dakota.

This certificate is issued in accordance with the Order of the Commission dated August 12, 2026, in Case No. PU-25-305 and is subject to the conditions and limitations noted in the Order.

Bismarck, North Dakota, August 12, 2026.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

Route Permit Number 260

This is to certify that the Commission has designated a transmission facility route for Minnesota Power for the construction, operation, and maintenance of an approximately 2.5-mile long 230 kV transmission line in Morton and Mercer Counties, North Dakota.

This permit is issued in accordance with the Order of this Commission dated August 12, 2026, in Case No. PU-25-305 and is subject to the conditions and limitations noted in the Order.

Bismarck, North Dakota, August 12, 2026.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Minnesota Power
202.5 MW Longspur Wind Project – Morton Cty
Siting Application

Case No. PU-25-304

CERTIFICATION RELATING TO ORDER PROVISIONS
WIND ENERGY CONVERSION FACILITY SITING

I am Franklyn Frederickson, a representative of Minnesota Power, an operating division of ALLETE, Inc. ("Company") with authority to bind Company to requirements to be set forth by the Commission in its Order and I certify the following:

1. Company understands and agrees that the Certificate of Site Compatibility will be issued by the Commission subject to the conditions and criteria set forth in Chapter 49-22 of the North Dakota Century Code and Chapter 69-06-08 of the North Dakota Administrative Code, and that Company shall be responsible for compliance with this order and conditions and criteria set forth in the applicable laws and rules.
2. Company agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the proposed energy conversion facility including all city, township, and county zoning regulations.
3. Company understands and agrees that it shall obtain all other necessary licenses and permits, and shall provide copies of all licenses and permits to the Commission prior to construction activity associated with the energy conversion facility that requires said license or permit.
4. Company understands and agrees that the Certificate of Site Compatibility is subject to suspension or revocation and may, in an appropriate and proper case, be suspended or revoked for failure to comply with the Commission's order, the conditions and criteria of the certificate or subsequent modification, or failure to comply with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies.
5. Company agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission's order and the Certificate of Site Compatibility, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.
6. Company understands and agrees that the authorizations granted by the Certificate of Site Compatibility for the energy conversion facility are subject to modification by

order of the Commission if deemed necessary to protect further the public or the environment.

7. Company is aware that under North Dakota Century Code section 49-02-27 the Commission has rules for decommissioning of wind energy conversion facilities. Company agrees to comply with all decommissioning rules adopted by the Commission.

Construction:

8. Company agrees to hold a preconstruction conference prior to commencement of any construction, which must include a Company representative, its construction supervisor, and a representative of Commission Staff, to ensure that Company fully understands the conditions set forth in the Commission's order.
9. Company understands and agrees that all cultural resource mitigation plans must be approved by the North Dakota State Historic Preservation Office prior to the start of any fieldwork and construction activity in the affected area.
10. Company understands and agrees that topsoil removal will begin when the Commission's third party construction inspector is present at the Project site to observe that topsoil is properly removed and kept segregated from subsoil until replacement occurs. Company shall establish the date and time for the Commission's third-party construction inspector's topsoil removal oversight in the preconstruction conference.
11. Company agrees to inform the Commission and the Commission's third-party construction inspector of its intent to start construction on the energy conversion facility prior to the commencement of construction. Once construction has started, Company shall keep the Commission and the Commission's third-party construction inspector updated of construction activities on a monthly basis.
12. Company is aware that North Dakota law requires that all companies that own or operate electric generation of any size for the primary purpose of resale must comply with the standards of the National Electrical Safety Code in effect at the time of construction of the generation facility, and agrees to comply with that requirement.
13. Company agrees to construct and operate the energy conversion facility in accordance with all applicable safety requirements.
14. Company understands and agrees that it shall bury all underground collection and feeder lines to a depth of at least 48 inches to the top of the lines.
15. Company understands and agrees that topsoil, up to 12 inches, or topsoil to the depth of cultivation, whichever is greater, over and along trench areas, roadways, tower

locations, and locations of associated facilities must be carefully stripped and segregated from the subsoil. Any area on which excavated subsoil will be placed must first be stripped of topsoil. The stripped topsoil must not be stockpiled in natural drainages, and must be protected from water erosion. Care must be taken to protect topsoil from unnecessary compaction by heavy machinery. Unless otherwise approved by the Commission, topsoil must be removed before topsoil freezes in the late fall/ early winter to the point that frost inhibits proper soil segregation. After backfilling with subsoil is completed, any excess subsoil must be placed over the excavation area, blending the grade into existing topography. Topsoil must be replaced over areas from which it was stripped only after the subsoil is replaced.

16. Company understands and agrees that all buried facility crossings of graded roads shall be bored unless the responsible governing agency specifically permits Company to open cut the road.
17. Company understands and agrees that staging areas or equipment shall not be located on land owned by a person other than Company unless otherwise negotiated with landowners.
18. Company understands and agrees that if any cultural resource, paleontological site, archeological site, historical site, or grave site is discovered during construction, it must be marked, preserved and protected from further disturbances until a professional examination can be made by the State Historical Society, and a report of such examination is filed with the Commission.
19. Company understands and agrees that construction must be suspended when weather conditions are such that construction activities will cause irreparable damage to roads or land, unless adequate protection measures are taken by Company.
20. Company understands and agrees that the Commission has authority to stop Project construction activities in the event of a probable violation of the siting laws, siting rules, or applicable Commission Orders if, in the opinion of the Commission, construction activities are likely to result in irreparable or significant harm.

Restoration and Maintenance:

21. Company agrees that it shall, as soon as practicable upon the completion of the construction of the energy conversion facility, restore the area affected by the activities to as near as is practicable to the condition as it existed prior to the beginning of construction.
22. Company understands and agrees that all pre-existing township and county roads and lanes used during construction must be repaired or restored to a condition that is equal to or better than the condition prior to the construction of the energy

conversion facility and that will accommodate their previous use, and that areas used as temporary roads or working areas during construction must be restored to their original condition.

23. Company understands and agrees that reclamation, fertilization, and reseeding is to be done according to the Natural Resources Conservation Service recommendations, unless otherwise specified by the landowner and approved by the Commission.
24. Company will fulfil its obligation for reclamation and maintenance of the approved site continuing throughout the life of the energy conversion facility.
25. Company will repair all fences and gates removed or damaged during all phases of construction and operation of the proposed energy conversion facility.
26. Company will repair or replace all drainage tile broken or damaged as a result of construction and operation of the proposed energy conversion facility.
27. Company agrees to comply with the Tree and Shrub Mitigation Specifications, attached.
28. Company understands and agrees that it shall work with landowners and residents to mitigate any increase in television and residential radio interference that results from the construction of the energy conversion facility.
29. Company understands and agrees that it shall remove all waste that is a product of construction and operation, restoration, and maintenance of the site, and properly dispose of it on a regular basis.
30. Company understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the energy conversion facility.

Communication with Landowners and PSC:

31. Company agrees to provide the Commission with engineering design drawings showing surveyed structure and collection substation locations prior to construction.
32. Company understands and agrees that it shall advise the Commission as soon as reasonably possible of any extraordinary events which take place at the site of the energy conversion facility, including injuries to any person, a tower collapse, or a catastrophic turbine failure.
33. Company agrees to report to the Commission, as soon as reasonably possible, the presence in or near the approved site of any critical habitat of threatened or

endangered species that Company becomes aware of and which were not previously reported to the Commission.

34. Company agrees to provide the Commission with both an electronic and a paper copy of the site approved by the Commission and the facility design specifications for the construction of the energy conversion facility showing the location of the energy conversion facility as built, and will provide this information within 3 months of the completion of the construction. Company also agrees to provide an electronic version of the site approved by the Commission and the facility design specifications for the construction of the energy conversion facility showing the location of the energy conversion facility as built that can be imported into ESRI GIS mapping software within 3 months of the completion of the construction. This electronic map data must be referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAD 83) UTM Zone 13N or 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.
35. Company shall notify the Commission, as soon as reasonably possible, if any damage, as defined by North Dakota Century Code Chapter 49-23, occurs to underground facilities during construction conducted under the certificate or permit issued in this proceeding. In the event of any damage to underground facilities, Company shall suspend construction in the vicinity of the damage until compliance with One-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined.
36. Company agrees that it shall provide, if requested, educational material for landowners within the site boundaries about the proposed energy conversion facility and any restriction or danger concerning the proposed energy conversion facility.
37. Company understands and agrees that it shall implement a procedure for how complaints concerning the proposed energy conversion facility will be handled by Company

Modification of Energy Conversion Facility or Energy Conversion Site Plan:

38. Before conducting any construction activities for any modification within the designated site, the Company will file the name and contact information for a key contact person for the purposes of notice and communication during the site modification application and will use the following procedures:
 - A. Before conducting any construction activities for any modification within the designated site, and such **construction activities will not affect any known exclusion or avoidance areas** within the designated site, the Company will file certification and supporting documentation:

1. Affirming that construction activities will not affect any known exclusion or avoidance areas within the designated site;
 2. Including a map meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) identifying the designated site and site modification(s); and
 3. Affirming that Company will comply with the Commission's order, law and rules designating the site.
- B. Before conducting any construction activities for any modification within the designated site, and such construction activities will not affect any known exclusion but **may affect an avoidance area** within the designated site, the Company will file:
1. A specific description of the avoidance area expected to be impacted, including a map meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) identifying:
 - a. the designated site and the site modification;
 - b. all exclusion and avoidance areas within the portion of the designated site containing the site modification.
 2. Certification and supporting documentation affirming that construction activities will not affect any known exclusion area.
 3. All field studies performed on the portion of the designated site containing the site modification;
 4. Specific information about any mitigation measures Company will take within the modification area;
 5. Certification that each owner of real property on which the modification is to be located and any applicable governmental entity with an interest in the same modification area do not oppose the modification;
 6. Certification that unless the Commission previously authorized the impact to the same avoidance area, that the utility has good cause and a specific reason to impact the avoidance area and a reasonable alternative does not exist;
 7. Certification that Company will comply with the Commission's order, law and rules designating the site.

39. Company acknowledges and agrees that written authorization from the Commission for impacting the avoidance area is necessary prior to commencement of construction activity.

Dated this 8th day of May, 2026.

Minnesota Power

By 

Its Vice President - MP Customer Experience & Engineering Services

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Minnesota Power
202.5 MW Longspur Wind Project – Morton County
Siting Application**

Case No. PU-25-304

**Minnesota Power
Longspur Wind 230kV Transmission Line – Morton & Mercer Counties
Siting Application**

Case No. PU-25-305

Tree and Shrub Mitigation Specifications

Inventory

Prior to cutting or clearing trees or shrubs for construction:

- All trees one-inch or greater in diameter at breast height must be inventoried to record the location, number, and species.
- All shrubs and all coniferous trees of any diameter must be inventoried to record the location, number, and species.

Clearing

The maximum width of tree and shrub removal is 50 feet, unless otherwise approved by the Commission.

Replacement

1. Landowners must be given the option to have trees and shrubs that are removed from their property replaced on their property. The landowner may waive this option in writing. If the landowner waives this option, the company shall plant replacement trees and shrubs in an alternate location in the same region, if practical.
2. Trees and shrubs must be replaced on a minimum two-to-one basis. The company shall develop a Tree and Shrub Mitigation Plan (Plan) in consultation with landowners who are seeking replacement trees and shrubs and in accordance with USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management. The guidelines outlined in the Technical Guide shall be followed until filing of the Plan summary outlined in number 5 below.
3. The purpose of the company's Tree and Shrub Mitigation Plan is to create sustainable plantings, appropriate for the local soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife and the environment.
4. The Plan, including the proposed number, variety, type, location, and approximate date for plantings, shall be filed with and approved by the Commission.
5. Two years after completion of the plan, the company must file a summary documenting how the plan achieved the purpose outlined in number 3 above. The summary must also report the number of surviving replacement trees and shrubs.
6. The Commission will consider, on a limited basis as conditions warrant, mitigation plans that provide long-term wildlife habitat and conservation benefits but do not involve the replanting of trees and shrubs.

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Minnesota Power
Longspur Wind 230kV Trans Ln – Morton & Mercer Cty
Siting Application**

Case No. PU-25-305

**CERTIFICATION RELATING TO ORDER PROVISIONS
TRANSMISSION FACILITY SITING**

I am Franklyn Frederickson, a representative of Minnesota Power, an operating division of ALLETE, Inc. ("Company") with authority to bind Company to requirements to be set forth by the Commission in its Order and I certify the following:

1. Company understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission will be subject to the conditions and criteria set forth in Chapter 49-22 of the North Dakota Century Code and Chapter 69-06-08 of the North Dakota Administrative Code, and that Company shall be responsible for compliance with this order and conditions and criteria set forth in the applicable laws and rules.
2. Company agrees to comply with the rules and regulations of all other agencies having jurisdiction over any phase of the transmission facility including all city, township, and county zoning regulations.
3. Company understands and agrees that it shall obtain all other necessary licenses and permits, and shall provide copies of all licenses and permits to the Commission prior to construction activity associated with the transmission facility that requires said license or permit.
4. Company understands and agrees that any Certificate of Corridor Compatibility or Route Permit issued by the Commission is subject to suspension or revocation and may, in an appropriate and proper case, be suspended or revoked for failure to comply with the Commission's order, the conditions and criteria of the certificate or subsequent modification, or failure to comply with the applicable statutes, rules, regulations, standards, and permits of other state or federal agencies.
5. Company agrees to maintain records that will demonstrate that it has complied with the requirements of the Commission's order issuing a Certificate of Corridor Compatibility or Route Permit, and that it will preserve these records for Commission inspection at any reasonable time upon reasonable notice.
6. Company understands and agrees that the authorizations granted by any Certificate of Corridor Compatibility or Route Permit issued by the Commission for the

transmission facility are subject to modification by order of the Commission if deemed necessary to protect further the public or the environment.

Construction:

7. Company agrees to hold a preconstruction conference prior to commencement of any construction, which must include a Company representative, its construction supervisor, and a representative of Commission Staff, to ensure that Company fully understands the conditions set forth in the Commission's order.
8. Company understands and agrees that all cultural resource mitigation plans must be submitted to the North Dakota State Historic Preservation Office and approved prior to the start of any fieldwork and construction activity in the affected area.
9. Company understands and agrees that topsoil removal will begin when the Commission's third-party construction inspector is present at the Project site to observe that topsoil is properly removed and kept segregated from subsoil until replacement occurs. Company shall establish the date and time for the Commission's third-party construction inspector's topsoil removal oversight in the preconstruction conference.
10. Company agrees to inform the Commission and the Commission's third-party construction inspector of its intent to start construction on the transmission facility prior to the commencement of construction. Once construction has started, Company shall keep the Commission and the Commission's third-party construction inspector updated on construction activities on a monthly basis.
11. Company understands and agrees that all topsoil, up to 12 inches, or topsoil to the depth of cultivation, whichever is greater, over and along trench areas where cuts will be made, must be carefully stripped and segregated from the subsoil. Any area on which excavated subsoil will be placed must also be stripped of topsoil. The stripped topsoil must not be stockpiled in natural drainages, and must be protected from water erosion. Care must be taken to protect topsoil from unnecessary compaction by heavy machinery. Unless otherwise approved by the Commission, topsoil must be removed before topsoil freezes in the late fall/ early winter to the point that frost inhibits proper soil segregation. After backfilling with subsoil is completed, any excess subsoil must be placed over the excavation area, blending the grade into existing topography. Topsoil must be replaced over areas from which it was stripped only after the subsoil is replaced.
12. Company understands and agrees that all buried facility crossings of graded roads must be bored unless the responsible governing agency specifically permits Company to open cut the road.

13. Company understands and agrees that staging areas or equipment shall not be located on land owned by a person other than Company unless otherwise negotiated with landowners.
14. Company understands and agrees that if any cultural resource, paleontological site, archeological site, historical site, or grave site is discovered during construction, it must be marked, preserved and protected from further disturbances until a professional examination can be made and a report of such examination is filed with the Commission and the State Historical Society.
15. Company understands and agrees that construction must be suspended when weather conditions are such that construction activities will cause irreparable damage to roads or land, unless adequate protection measures are taken by Company.
16. Company understands and agrees that the Commission has authority to stop Project construction activities in the event of a probable violation of the siting laws, siting rules, or applicable Commission Orders if, in the opinion of the Commission, construction activities are likely to result in irreparable or significant harm.

Restoration and Maintenance:

17. Company understands and agrees that it shall, as soon as practicable upon the completion of the construction of the transmission facility, restore the area affected by the activities to as near as is practicable to the condition as it existed prior to the beginning of construction.
18. Company understands and agrees that all pre-existing township and county roads and lanes used during construction must be repaired or restored to a condition that is equal to or better than the condition prior to the construction of the transmission facility and that will accommodate their previous use, and that areas used as temporary roads or working areas during construction must be restored to their original condition.
19. Company understands and agrees that reclamation, fertilization, and reseeding is to be done according to the Natural Resources Conservation Service recommendations, unless otherwise specified by the landowner and approved by the Commission.
20. Company will fulfill its obligation for reclamation and maintenance of the approved transmission facility right-of-way, transmission facility, and associated facilities continuing throughout the life of the transmission facility.
21. Company will repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility.

22. Company will repair or replace all drainage tile broken or damaged as a result of construction and operation of the transmission facility.
23. Company agrees to comply with the Tree and Shrub Mitigation Specifications, attached.
24. Company understands and agrees that it shall work with landowners and residents to mitigate any increase in television and residential radio interference that results from the construction of the transmission facility.
25. Company understands and agrees that it shall remove all waste that is a product of construction and operation, restoration, and maintenance of the site, and properly dispose of it on a regular basis.
26. Company understands and agrees that it shall provide any necessary safety measures for traffic control or to restrict public access to the transmission facility.

Communication with Landowners and PSC:

27. Company understands and agrees that, prior to beginning construction of the transmission facility at a location, it shall send a letter to each landowner with whom an easement was executed for that location specifying the name and phone number of the company representative who is responsible for receiving and resolving landowner issues for the life of the easement.
28. Company understands and agrees that it will file with the commission the name and phone number of the current company representative who is responsible for receiving and resolving landowner issues for the transmission facility. The company will update this information whenever there is a change to the current company representative for the life of all easements for the transmission facility.
29. Upon request, Company agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.
30. Company understands and agrees that it shall advise the Commission as soon as reasonably possible of any extraordinary events which take place at the site of the transmission facility, including injuries to any person.
31. Company agrees to report to the Commission, as soon as reasonably possible, the presence in the permit area of any critical habitat or threatened or endangered species of which Company becomes aware and which were not previously reported to the Commission.

32. Company understands and agrees that it shall inform the Commission in writing of any plans to modify the transmission facility or of any plans to modify the site plan for the transmission facility.
33. Company agrees to provide the Commission with both an electronic and a paper copy of the corridor approved by the Commission and the facility design specifications for the construction of the transmission facility showing the location of the transmission facility as built, and will provide this information within 3 months of the completion of the construction. Company also agrees to provide an electronic version of the corridor approved by the Commission and the facility design specifications for the construction of the transmission facility showing the location of the transmission facility as built that can be imported into ESRI GIS mapping software within 3 months of the completion of the construction. This electronic map data must be referenced to the North Dakota coordinate system of 1983, North and/or South zones US Survey feet (NAD 83) UTM Zone 13N or 14N feet (NAD 83), or geographic coordinate system (WGS 84) feet. The vertical data must be in the appropriate vertical datum for the coordinate system used. All submissions must specify the datum in which the data was developed.
34. Company shall notify the Commission as soon as reasonably possible if any damage, as defined by North Dakota Century Code Chapter 49-23, occurs to underground facilities during construction conducted under the certificate or permit issued in this proceeding. In the event of any damage to underground facilities, Company shall suspend construction in the vicinity of the damage until compliance with One-Call Excavation Notice System requirements under North Dakota Century Code Chapter 49-23 has been determined.
35. When applicable, Company may submit the field studies from the original application for the corridor and route provided they cover the adjustment area.

Route Adjustments Before or During Construction:

36. Company agrees to utilize the following procedures if Company seeks a route adjustment before or during construction of the transmission line.
37. Company will file the name and contact information for a key contact person for the purposes of notice and communication during the adjustment application.
38. **ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, NO AVOIDANCE AREA AFFECTED:** Before conducting any construction activities for any adjustment to the designated route within the designated corridor, the Company will file:
 - a. Certification and supporting documentation affirming that construction activities will be within the designated corridor, will not affect any known exclusion or avoidance areas within the designated corridor;

- b. Certification and supporting documentation, including a map meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) identifying the designated corridor, route and the route adjustment;
- c. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.

39. ROUTE ADJUSTMENT WITHIN DESIGNATED CORRIDOR, AVOIDANCE AREA

AFFECTED: Before adjusting the route of an electric transmission line within the designated corridor that may affect an avoidance area, and before conducting any construction activities for any adjustment to the designated route within the designated corridor, the Company will file:

- a. A specific description of the avoidance area expected to be impacted, including a map meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) identifying:
 - i. the designated corridor, route and the route adjustment;
 - ii. all exclusion and avoidance areas within the portion of the designated corridor containing the route adjustment
- b. Certification and supporting documentation affirming:
 - i. That construction activities will be within the designated corridor
 - ii. That construction activities will not affect any known exclusion area
- c. All field studies performed on the portion of the designated corridor containing the route adjustment;
- d. Specific information about any mitigation measures Company will take within the adjustment area;
- e. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment;
- f. Certification that unless the Commission previously authorized the impact to the same avoidance area, that the utility has good cause and a specific reason to impact the avoidance area and a reasonable alternative does not exist;
- g. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.

40. ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, NO AVOIDANCE

AREA AFFECTED: Before adjusting the route of an electric transmission line outside the designated corridor and not affecting any exclusion and avoidance area, before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

- a. Certification and supporting documentation affirming that construction activities will not affect any known exclusion or avoidance areas,
- b. Certification and supporting documents stating the length of the proposed route outside of the corridor and a map meeting the requirements of N.D.

Admin. Code § 69-06-04-01(2)(n) identifying the designated corridor, corridor adjustment, designated route and the route adjustment;

- c. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment; and
- d. Detailed field studies indicating exclusion and avoidance areas for the proposed adjustment area; and
- e. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.

41. **ROUTE ADJUSTMENT OUTSIDE DESIGNATED CORRIDOR, AVOIDANCE AREA AFFECTED:** Before adjusting the route of an electric transmission line outside the designated corridor that may affect an avoidance area, and before conducting any construction activities for any adjustment to the designated route outside the designated corridor, the Company will file:

- a. A specific description of the avoidance area expected to be impacted, including a map meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) identifying:
 - i. the designated corridor, corridor adjustment, route and the route adjustment;
 - ii. all exclusion and avoidance areas within the adjustment area
- b. Certification that construction activities will not affect any known exclusion area;
- c. Certification that the utility has good cause and a specific reason to impact the avoidance area and a reasonable alternative does not exist within the designated corridor and route;
- d. Certification that each owner of real property on which the adjustment is to be located and any applicable governmental entity with an interest in the same adjustment area do not oppose the adjustment;
- e. Provide specific information about any mitigation measures Company will take within the adjustment area;
- f. Detailed field studies indicating exclusion and avoidance areas for the proposed adjustment area; and
- g. Certification that Company will comply with the Commission's order, law and rules designating the corridor and route.

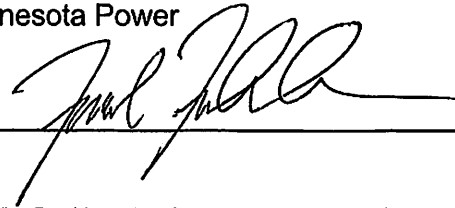
Company acknowledges and agrees that:

- 42. When applicable, Company may submit the field studies from the original application for the corridor and route provided they cover the adjustment area.
- 43. Company acknowledges and agrees that written authorization from the Commission for impacting the avoidance area is necessary prior to commencement of construction activity.

Dated this 8th day of May, 2026.

Minnesota Power

By

A handwritten signature in black ink, appearing to be "Paul J. Hall", written over a horizontal line.

Its Vice President - MP Customer Experience & Engineering Services

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Minnesota Power
202.5 MW Longspur Wind Project – Morton County
Siting Application**

Case No. PU-25-304

**Minnesota Power
Longspur Wind 230kV Transmission Line – Morton & Mercer Counties
Siting Application**

Case No. PU-25-305

Tree and Shrub Mitigation Specifications

Inventory

Prior to cutting or clearing trees or shrubs for construction:

- All trees one-inch or greater in diameter at breast height must be inventoried to record the location, number, and species.
- All shrubs and all coniferous trees of any diameter must be inventoried to record the location, number, and species.

Clearing

The maximum width of tree and shrub removal is 50 feet, unless otherwise approved by the Commission.

Replacement

1. Landowners must be given the option to have trees and shrubs that are removed from their property replaced on their property. The landowner may waive this option in writing. If the landowner waives this option, the company shall plant replacement trees and shrubs in an alternate location in the same region, if practical.
2. Trees and shrubs must be replaced on a minimum two-to-one basis. The company shall develop a Tree and Shrub Mitigation Plan (Plan) in consultation with landowners who are seeking replacement trees and shrubs and in accordance with USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management. The guidelines outlined in the Technical Guide shall be followed until filing of the Plan summary outlined in number 5 below.
3. The purpose of the company's Tree and Shrub Mitigation Plan is to create sustainable plantings, appropriate for the local soil and growing conditions that will provide long-term benefit to landowners, farmers and ranchers, the community, wildlife and the environment.
4. The Plan, including the proposed number, variety, type, location, and approximate date for plantings, shall be filed with and approved by the Commission.
5. Two years after completion of the plan, the company must file a summary documenting how the plan achieved the purpose outlined in number 3 above. The summary must also report the number of surviving replacement trees and shrubs.
6. The Commission will consider, on a limited basis as conditions warrant, mitigation plans that provide long-term wildlife habitat and conservation benefits but do not involve the replanting of trees and shrubs.