

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Minnkota Power Cooperative, Inc.  
Agassiz Transmission Line & Substation - Cass Cty  
Siting Application**

**Case No. PU-26-22**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

**April 29, 2026**

**Appearances**

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

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

Zachary E. Pelham, Special Assistant Attorney General, as Counsel for the North  
Dakota Public Service Commission, 314 East Thayer Avenue, Bismarck, ND 58501.

Bennett L. Johnson, Vogel Law Firm, 200 North 3rd Street, Suite 201, Bismarck,  
ND 58501, on behalf of Minnkota Power Cooperative, Inc.

**Preliminary Statement**

On January 12, 2026, Minnkota Power Cooperative Inc. (MPC) , filed with the North Dakota Public Service Commission (Commission) a consolidated application for an approximately 1.74 mile-long transmission facility corridor, including an approximately 1.74 mile-long 345-kV transmission line route permit and associated substation in Cass County, North Dakota (Project) in accordance with the requirements of North Dakota Century Code chapter 49-22 and North Dakota Administrative Code (NDAC) article 69-0 6.

On February 20, 2026, the Commission provided notification of the application to the townships with retained zoning authority, cities, and county in which any part of the proposed corridor would be located.

On February 25, 2026, the Commission issued a Notice of Filing and Notice of Public Hearing (Notice) for the Project and scheduled a public hearing for April 2, 2026, at 9:30 a.m. Central Time, at the Holiday Inn Fargo, 3803 13th Avenue South, Fargo, ND 58103.

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

1. Will the construction, operation, and maintenance of the proposed facility at the proposed location produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Is the proposed facility compatible with the environmental preservation and the efficient use of resources?
3. Will the construction, operation, and maintenance of the proposed facility at the proposed location 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 March 16, 2026, MPC filed an expediated request for approval of temporary variance for construction.

On April 15, 2026, the Commission approved the request for temporary variance for construction.

On April 2, 2026, the hearing was held as scheduled, allowing any interested parties to present testimony in person at the Holiday Inn Fargo. Hearing Exhibits 1 through 8 were admitted at the hearing.

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:

### **Findings of Fact**

1. MPC is a regional electric generation and transmission cooperative corporation headquartered in Grand Forks, North Dakota, organized under the laws of the State of Minnesota and is authorized to do business in the State of North Dakota.

#### **Size, Type, and Preferred Location of Facility**

2. MPC proposes to construct, own, and operate an approximately 1.74 mile long 345-kV electric transmission line extending from the existing MPC Maple River—Bison 345-kV transmission line and terminating at the proposed Agassiz Substation just south of Harwood, North Dakota. The Project is located entirely within Cass County, North Dakota on property owned by MPC other than the necessary crossing of Interstate 29, Cass County Highway 81, and BNSF Railway.

3. The transmission line consists of approximately 14 new, self-weathering steel transmission line structures. Three existing structures on the Maple River—Bison Line will be replaced to accommodate the tap for the new line. Segments of the line will utilize both H-frame and monopole structures. The new structures will be steel poles, mounted on reinforced concrete foundations with embedded anchor bolts, with an average height of approximately 137 feet.

4. The proposed substation will include a 345/34.5-kV collector substation within an approximately 15-acre fenced yard. A prefabricated one-story control enclosure will house the protection, relaying, metering, Supervisory Control and Data Acquisition (SCADA), station service, and communication equipment, including fiber-optic terminations.

5. The substation equipment is designed as a four-breaker ring bus configuration designed to accommodate two 345-kV transmission line termination points, two 345/34.5-kV transformer positions, two 345-kV capacitor banks, and associated 345-kV and 34.5-kV switching and protection equipment. Major substation components will include two 345/34.5-kV power transformers, six 345-kV circuit breakers, eight 34.5-kV feeder circuit breakers, twelve 345-kV manual disconnect switches, four 345-kV motor-operated disconnect switches, eighteen 345-kV coupling capacitor voltage transformers, fourteen 34.5-kV potential transformers, one 167-kVA station service voltage transformers, two 345-kV capacitor banks, and the control enclosure measuring approximately 60 feet by 24 feet. When energized, the double circuit lines will be connected to operate as a single line.

6. Project construction and design will meet the requirements of the National Electrical Safety Code (NESC), the U.S. Department of Agriculture Rural Utilities Service (RUS), the Institute of Electrical and Electronics Engineers, the American Society of Civil Engineers, the American Institute of Steel Construction, the American Concrete Institute and other applicable local and national building codes.

7. The estimated cost for the Project is \$110 million.

8. MPC plans to complete the construction and commence commercial operation by December 2026.

#### Study of Preferred Location

9. MPC selected the Project route based on compliance with Chapter 49-22 of the North Dakota Century Code and the Commission's siting rules; input from federal and state agencies; minimization of environmental, cultural, socioeconomic impacts; and feasibility from a design, construction, and access perspective.

10. MPC and its representatives contacted local, state, and federal agencies pursuant to NDAC § 69-06-01-05 for assistance in identifying concerns or issues within the study area.

11. MPC conducted cultural resource surveys and literature reviews throughout the study area. The North Dakota State Historic Preservation Office (SHPO) determined the reports acceptable and determined there are no significant sites affected by the Project provided all recommendations are followed.

12. MPC has collocated the transmission line portion of the Project with existing utilities located on MPC owned property to the maximum extent practicable and purchased a 45-acre property for the proposed substation.

### Siting Criteria

13. The Commission has established criteria pursuant to North Dakota Century Code Section 49-22-5.1 to guide the site, corridor, and route suitability evaluation and designation process. The transmission facility corridor and route criteria, as set forth in NDAC Section 69-06-08-02, provides the Commission's requirements regarding Exclusion and Avoidance Areas, as well as the Commission's Selection and Policy Criteria.

14. MPC selected a one-mile-wide study area and a 150-foot-wide Project Corridor which expands to include the proposed substation property. The Project Corridor consists of land that will be owned by MPC, other than the necessary crossing of Interstate 29, Cass County Highway 81, and BNSF Railway, and is centered on the Project Route.

15. MPC evaluated the Project for Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria of the Commission.

16. An Exclusion Area may not encompass more than fifty percent of a corridor width unless there is no reasonable alternative. An Exclusion Area must be excluded in the consideration of a route for a transmission facility. A buffer zone of a reasonable width to protect the integrity of an Exclusion Area must be included in the siting of the transmission facility.

17. MPC's studies and surveys did not record any Exclusion Areas within the study area.

18. An Avoidance Area is a geographic area that may not be considered in the routing of a transmission facility unless the applicant shows that, under the circumstances, there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a transmission 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 routes.

19. MPC's studies and surveys recorded one (1) cultural site outside of the Project workspace and will be avoided by all Project construction activities as recommended by SHPO. No additional cultural resources were identified within the study area.

20. MPC identified a community source water protection area for the Lake Shure Home Owners Association. Community source water protection areas are zones around public drinking water sources documented by the North Dakota Department of Environmental Quality to help identify and manage potential sources of contamination to the water source. Based on design considerations and implementation of conservation measures, Project construction and operation will not result in surface water or groundwater contamination in the Lake Shure Water Protection Area.

21. No other Avoidance Areas are located in the Project Corridor. No other Avoidance areas will be crossed by the proposed route.

22. In accordance with the Commission's Selection Criteria set forth in NDAC section 69-06-08-02(3), a transmission facility corridor or route shall be designated only when it is demonstrated to the Commission by the applicant that any significant adverse effects which will result from the location, construction, and maintenance of the facility will be at an acceptable minimum, or that those effects will be managed and maintained at an acceptable minimum.

23. MPC has analyzed the impacts of the Project in relation to all the relevant Selection Criteria. No significant adverse impact will result from the location, construction, and operation of the Project.

24. The impact upon agricultural production is a selection criteria factor. The Project Route will be placed on property wholly owned by MPC other than the necessary road and railway crossing. The construction, operation, and maintenance of this Project will have minimal effect upon agricultural production. Temporary construction disturbances outside of the Project Corridor will be confined to pullback and tensioning sites and access roads and subject to easement agreements with the impacted landowner. MPC will return land to its pre-construction state and continue to allow agricultural activities within the transmission line portion of the Project Corridor where possible.

25. In accordance with the Commission's Policy Criteria, the Commission may give preference to an applicant that will maximize the benefits that result from the adoption of policies and practices designated within the Commission's Policy Criteria.

26. MPC has demonstrated its commitment to maximize the benefits of the Project to meet the Commission's Policy Criteria by designing and locating the Project in a manner

as to maximize operational efficiency and economic benefits while minimizing Project impacts.

#### **Additional Measures to Minimize Impact**

27. MPC has agreed to mitigate the impact of the Project as indicated by its proposed Certification Relating to Order Provisions—Transmission Facility Siting filed in this proceeding.

28. MPC will use best management practices to avoid and/or minimize potential impacts to existing resources, as outlined in the Consolidated Application. MPC will utilize best management practices to minimize impacts on ground and surface water, and to prevent soil erosion and soil and groundwater contamination from incidental spills. Erosion control measures required under the National Pollution Discharge Elimination System permit and the associated Storm Water Pollution Prevention Plan will be implemented. Secondary containment and other measures will be used where appropriate to prevent incidental spills of oil and gas for refueling and storage in accordance with the Project SPCC Plan and industry best management Practices. Construction of the Project is not anticipated to have a significant adverse impact on surface or ground water resources or soils. Temporarily disturbed areas will be restored and reseeded with a Natural Resource Conservation Service recommended native seed mix.

29. The Project may result in minimal indirect impacts to migratory birds and bald and golden eagles. MPC will carry out preconstruction surveys to identify active nests within 0.5 mile of the Project Workspace. If active nests are found in or adjacent to Project Workspace, no-activity buffers will be implemented to minimize disturbance to the extent feasible. If an active eagle nest is identified, MPC will coordinate with USFWS to ensure compliance with the Bald and Golden Eagle Protection Act and minimize impacts to the greatest extent practicable.

30. The Project will be constructed according to standards of the RUS, the NESC, the Institute of Electrical and Electronics Engineers, the American Society of Civil Engineers, the American Institute of Steel Construction, and the American Concrete Institute.

31. MPC will employ standard monitoring and maintenance procedures to limit the spread of noxious weeds in accordance with MPC's Vegetation Management Program.

32. MPC will oversee reclamation of all lands in the transmission line corridor including temporary construction easement and access areas. MPC does not anticipate removal of any trees or shrubs for this Project. Trees and shrubs in proximity to the Project Corridor have been previously impacted and maintained as a result of the existing Maple River—Bison Line right of way.

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

### **Conclusions of Law**

1. The Commission has jurisdiction over the applicant, Minnkota Power Cooperative, and over the subject matter of the Application under North Dakota Century Code Chapter 49-22.
2. Minnkota Power Cooperative is a utility as defined in North Dakota Century Code Section 49-22- 03(14).
3. The Project is an electric energy transmission facility as defined in North Dakota Century Code Section 49-22-03(5).
4. The construction, operation, and maintenance of the Project will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.
5. The Project is compatible with the environmental preservation and the efficient use of resources.
6. The construction, operation, and maintenance of the Project 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.

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

### **Order**

The Commission orders:

1. MPC's Consolidated Application for a certificate of corridor compatibility and route permit is granted.
2. Certificate of Corridor Compatibility No. \_\_\_\_ is issued to MPC designating a corridor for the construction, operation, and maintenance of approximately 1.74 miles of 345-kV transmission line and an associated substation in Cass County, North Dakota. For purposes of the Certificate, the designated corridor is 150 feet wide for the Project.
3. Route Permit No. \_\_\_\_\_ is issued to MPC designating a route for the construction, operation, and maintenance of approximately 1.74 miles of 345-kV transmission line and an associated substation in Cass County, North Dakota. The designated route includes a

route construction buffer of 20 feet on each side of the designated route, contingent upon not impacting an Avoidance Area unless MPC receives written authorization from the Commission prior to conducting any associated construction activities. Construction activities in the construction buffer must not impact an Exclusion Area.

4. The Certification Relating to Order Provisions—Transmission Facility Siting is incorporated by reference and attached to this Order.

5. To the extent there are any conflicts or inconsistencies between MPC's Consolidated Application and the Certification, the Certification provisions control.

6. MPC's Application for Protection of Information with respect to cultural resource location information is granted.

7. MPC shall obtain all other necessary licenses and permits prior to commencing construction on such portion of the Project for which the license and/or permit is required and shall provide copies of such licenses and permits to the Commission prior to such construction.

8. MPC is required to comply with all applicable laws, rules, and/or regulations in the event it desires to construct another or different energy conversion facility than was specified in the Application within the site designated in this proceeding.

#### **PUBLIC SERVICE COMMISSION**

  
**Sheri Haugen-Hoffart**  
Commissioner

  
**Randy Christmann**  
Chairman

  
**Jill Kringstad**  
Commissioner

**PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA**

**Certificate of Corridor Compatibility Number 248**

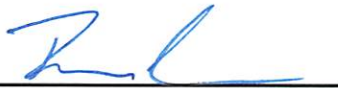
*This is to certify that the Commission has designated a transmission facility corridor for Minnkota Power Cooperative, Inc. for the construction, operation, and maintenance of approximately 1.74-miles of 345 kV electric transmission line and associated facilities in Cass County.*

*This certificate is issued in accordance with the Order of the Commission dated April 29, 2026, in Case No. PU-26-22 and is subject to the conditions and limitations noted in the Order.*

*Bismarck, North Dakota, April 29, 2026.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**



**Executive Secretary**



**Commissioner**

**PUBLIC SERVICE COMMISSION  
STATE OF NORTH DAKOTA**

**Route Permit Number 259**

*This is to certify that the Commission has designated a transmission facility route for Minnkota Power Cooperative, Inc. for the construction, operation, and maintenance of approximately 1.74-miles of 345 kV electric transmission line and associated facilities in Cass County.*

*This permit is issued in accordance with the Order of this Commission dated April 29, 2026, in Case No. PU-26-22 and is subject to the conditions and limitations noted in the Order.*

*Bismarck, North Dakota, April 29, 2026.*

**ATTEST:**

**PUBLIC SERVICE COMMISSION**



**Executive Secretary**



**Commissioner**

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Minnkota Power Cooperative, Inc.  
Agassiz Transmission Line & Substation Project—Cass Cty  
Siting Application**

**Case No. PU-26-22**

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

I am Daniel L. Inman, a representative of Minnkota Power Cooperative, Inc. ("Company") with authority to bind Minnkota Power Cooperative, Inc. 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. Once construction has started, Company shall keep the Commission updated on construction activities on a monthly basis. Company understands and agrees that topsoil removal beyond the scope of the Temporary Variance for Construction approved April 15, 2026 (Variance), 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 beyond the scope of the Variance. 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 staging areas or equipment shall not be located on land owned by a person other than Company unless otherwise negotiated with landowners.
13. 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.

14. 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.
15. 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:**

16. 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.
17. 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.
18. 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.
19. 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.
20. Company will repair all fences and gates removed or damaged during all phases of construction and operation of the transmission facility.
21. Company will repair or replace all drainage tile broken or damaged as a result of construction and operation of the transmission facility.
22. 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.

23. 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.
24. 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:**

25. 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 a temporary construction 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 term of the easement.
26. 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.
27. Upon request, Company agrees to provide the Commission with engineering design drawings of the transmission facility prior to construction.
28. 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.
29. 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.
30. 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.
31. 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.

32. 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.

**Route Adjustments Before or During Construction:**

33. Company agrees to utilize the following procedures if Company seeks a route adjustment before or during construction of the transmission line.
34. Company will file the name and contact information for a key contact person for the purposes of notice and communication during the adjustment application.
35. **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.
36. **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.

**37. 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.

**38. 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:

39. When applicable, Company may submit the field studies from the original application for the corridor and route provided they cover the adjustment area.
40. 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 24 day of April, 2026.

MINNKOTA POWER COOPERATIVE, INC.

By:



Daniel L. Inman  
Senior VP of Power Delivery & CITO