



117 South First Street • Montevideo, MN 56265

March 24, 2026

Chair Acomb
Chair Swedzinski
House Energy Finance and Policy
Re: H.F. 4377

Chairs Acomb and Swedzinski, and Committee Members,

CURE is a rurally based, non-profit organization dedicated to protecting and restoring resilient communities and landscapes by harnessing the power of the people who care. We appreciate the opportunity to testify in strong support of H.F. 4377.

In Minnesota, large oil pipelines are required to obtain a Certificate of Need from the Public Utilities Commission (PUC) as part of the permitting process. This requires the company to prove that the infrastructure is a public good, in part by showing that there will be demand for the product over the next fifteen years.

Who must be considered in these demand forecasts has been at the heart of recent pipeline decisions. Oil companies have argued that these forecasts can be based on demand from other oil companies, even those halfway around the world. Public interest groups and Minnesota's own Department of Commerce, on the other hand, have encouraged consideration of ultimate consumer demand in our region, or what the users of end-products like gasoline are expected to need. The absence of a clear definition has resulted in litigation, controversy, and expense.

H.F. 4377 provides common sense clarification about how the PUC should evaluate demand. The bill establishes that a demand forecast must include projected consumption of gasoline and other petroleum products in Minnesota and neighboring states, anticipated policy and market changes, and regional population and economic growth trends. This ensures that Minnesota doesn't take on the economic and environmental risks of oil pipeline infrastructure that is unjustified.

It's time to modernize energy planning process so that the infrastructure that is built reflects what Minnesotans and the region truly need. For these reasons, CURE urges you to support H.F. 4377.

Sincerely,

/s/ Sarah Mooradian
Government Relations & Policy Director
CURE
117 S 1st Street
Montevideo, MN 56265
(320) 269-2984

sarah@curemn.org

CUREmn.org  320-269-2984
117 South First Street • Montevideo, MN 56265



March 24th, 2026

Chairs Acomb and Swedzinski
House Energy Finance and Policy
Re: H.F. 4377

Chairs Acomb, Swedzinski, and Committee Members,

Three Waters Pipeline Resistance Team (PRT) is a volunteer-led grassroots team that cumulatively holds decades of knowledge regarding petroleum pipelines. Our name comes from the three-way continental divide in northern Minnesota which sends water north to Hudson Bay, east to the Great Lakes and Gulf of St. Lawrence, and south to the Mississippi River and Gulf of Mexico from a single point.

Minnesota's economy and communities are deeply rooted in the waters and natural systems that sustain us; the food we eat, the water we drink, the air we breathe, and the materials that build our homes and infrastructure. These systems are interconnected and finite, forming a delicate balance of supporting both human life and the broader environment. It is up to those in governing bodies to ensure they are responsibly stewarded and protected.

Pipeline infrastructure poses extensive long-term risks to Minnesota's lands and waters. History has shown that spills, leaks, pierced aquifers, and abandoned infrastructure can leave lasting impacts on ecosystems and communities. Despite these risks, current regulatory ambiguity has allowed oil infrastructure projects to proceed without clear evidence of sustained public need even when those risks outweigh the benefits for Minnesotans.

On June 28, 2018, we witnessed the Public Utilities Commission (PUC) grant Enbridge Energy, an oil pipeline company, the certificate of need it required to construct Line 3 through northern Minnesota and across tribal land. Charged with demonstrating a need for the pipeline, Enbridge simply explained that, across the entire globe, there were companies who were willing to buy the oil it would transport. Enbridge was not required to show this project was necessary for the people of Minnesota nor their energy needs. This legislation ensures that PUC decisions about large petroleum pipelines proposed here in Minnesota are grounded in demonstrable consumer need rather than speculative industry expansion.

Minnesota's gasoline usage peaked in 2004. Next time a company wants to construct a petroleum pipeline through our wetlands, across our rivers, and peoples' private properties, let's have clarity on its functional usefulness to local economy, wellbeing, and "public good".

H.F. 4377 will neither disrupt the current robust pipeline infrastructure in Minnesota nor

disadvantage future Minnesotans. This simply puts the interests of this state's residents above that of crude oil purchasers to ensure that when we bear the risk of new oil pipeline infrastructure, it's because we accept the tradeoff for our and our neighboring states' own energy needs.

For these reasons and more, Three Waters PRT urges Committee members to support H.F. 4377. We appreciate the opportunity to testify and thank the Committee for its commitment to being responsible stewards of regulation which protects the current and future residents of Minnesota.

Sincerely,
Three Waters Pipeline Resistance Team

Minnesota House Energy Finance and Policy Committee

Hearing Date: March 24, 2026

Re: Support for HF 4377

Chair Acomb and Members of the Committee:

Thank you for the opportunity to provide testimony in support of HF 4377, which establishes clearer requirements for demonstrating need in applications for petroleum pipeline certificates. I am a Minnesota resident who lives in St. Paul. I am deeply concerned about the ecological damage to our state from industrial expansion, and the past approval of pipelines that move millions of barrels of oil across our delicate ecosystems daily. For these reasons, I support HF 4377 and ask that the committee move it forward for a vote.

HF 4377 strengthens Minnesota's energy decision-making by requiring pipeline applicants to provide transparent, data-driven demand forecasts for petroleum products. Similar to the requirements that already guide other utilities like electric and natural gas companies, this bill would ensure that pipeline infrastructure decisions are based on actual Minnesota consumer need, analyzed in the context of long-term trends such as vehicle efficiency, electrification, and commuter patterns.

In Minnesota, approximately 75% of total petroleum consumption is in the transportation sector. But the demand for gasoline in the state peaked over 20 years ago, and long term trend forecasting does not show any sign that it will begin to grow again. On the contrary, public and private incentives will continue to increase EV adoption, public transit infrastructure and use, and non-car alternatives like e-bikes.

Currently, pipeline companies and regulators have no obligation to consider these factors when evaluating a pipeline proposal. But Minnesotans are the ones who directly experience the negative effects of pipelines running through the land that they rely on, so the needs of Minnesotans must justify the enormous damage that these pipelines can cause. It is not fair to the people of Minnesota to ask us to sacrifice our ecosystems and wildlife to help facilitate the global oil export market.

HF 4377 helps ensure that:

1. Infrastructure matches actual consumer demand, helping to prevent the risk of stranded assets;
2. Risks are justified by in-state benefits, especially for rural and environmentally-sensitive areas; and
3. Forecasting reflects modern trends, including the growing electrification movement, improved vehicle efficiency, and changes in transportation use.

Thank you for your consideration.

Leah Tabbert

leahmtabbert@gmail.com

(920) 268-8322



March 24, 2026

Dear Members of the House Energy Finance and Policy Committee:

The Minnesota Chamber of Commerce represents over 6,300 businesses of all sizes and industries in every corner of the state and over 500,000 employees in Minnesota. We advocate for public policies to strengthen Minnesota's business climate and to help grow Minnesota's economy.

The Chamber opposes HF 4377 (Rep. Jones). This bill will mandate new requirements for pipeline infrastructure projects by making the certificate-of-need process more complex and time consuming – leading to higher consumer energy costs.

Pipeline projects are expensive, with the cost of the project amortized over multiple decades. Decisions to undertake such projects are not made lightly. Companies carefully consider the future of these investments even before the Certificate-of-Need process commences. The Public Utilities Commission (PUC) already has the authority to demand this information if the experts charged with consideration of a pipeline project deem it necessary. Adding a rigid mandate into the process will add time and cost to critical energy infrastructure improvements.

Complicating the process to produce and deliver energy resources to consumers will lead to higher fuel prices, which drives the cost of living higher for hardworking Minnesota employers and employees. This bill will make Minnesota an outlier to neighboring states that have a less onerous pipeline approval process. Potential pipeline projects will be less likely to be built in Minnesota due to this new mandate. This lack of infrastructure development here will not decrease demand and may lead to these products being shipped via truck or rail to meet demand.

The rising cost of fuel is a great concern for Minnesota families and businesses, adding complicated regulatory mandates to these energy projects will lead to higher costs for all of us.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Dwight", is positioned below the "Sincerely," text.

Dan Dwight
Minnesota Chamber of Commerce



March 24, 2026

Chair Acomb, Chair Swedzinski, and Members of the Committee,

Thank you for the opportunity to provide testimony on HF 4377 (Jones). The Minnesota Center for Environmental Advocacy (MCEA) is a nonprofit public interest law and advocacy organization with a 50-year history of defending Minnesota's environment and the health of its people. **MCEA supports HF 4377.**

This bill specifies that the existing demand forecast requirement in the Certificate of Need application for large crude oil pipelines must incorporate demand for refined products. **This is a commonsense clarification of an ambiguous law.**

Currently, Minn. Stat. § 216B.243 requires that large energy facilities, including crude oil pipelines of greater than six inches in diameter with more than 50 miles of length in the state of Minnesota, must apply for a Certificate of Need from our Public Utilities Commission. That permit is important because it confers on oil pipelines the right to exercise eminent domain—the right to take and use private property for public use. The Certificate of Need must therefore have a high standard of rigor for ensuring a project serves a *public* good, not just corporate interests.

In order to be granted a Certificate of Need, petroleum companies are required to show a project is needed by providing a “long-range energy demand forecast.” However, existing law does not sufficiently define what a long-range energy demand forecast is. This ambiguity in the law cannot continue.

This bill provides regulatory clarity that will save companies, advocates, and state agencies precious resources in future proceedings. The last large petroleum pipeline application for a Certificate of Need resulted in years of regulatory proceedings and eventual litigation between state agencies over the definition of a demand forecast. A sitting Public Utilities Commissioner said at the time that “we need to clarify the law” regarding the Certificate of Need long-range energy demand forecasts to “focus very squarely and thoroughly on the demand for oil and the demand for refined products.”¹

The Court of Appeals later weighed in on the same case, stating that the petroleum pipeline company in question “did not submit what we could consider a conventional forecast of crude-oil demand,” but finding that “Nothing in the certificate-of-need statute

¹ *In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border*, Minnesota Public Utilities Commission Docket No. CN-14-916, PUC Agenda Meeting Jun. 28, 2018, available at <https://minnesotapuc.granicus.com/player/clip/750?redirect=true>.

requires an applicant to submit a forecast in a particular form or with particular information.”²

These admonishments of the current ambiguity underscore the need for clarification, so that companies, advocates, and regulators do not need to argue, guess, and litigate about the requirements for one of Minnesota’s most significant energy permits.

Clarification of the law is also necessary and timely given the changing economics of fossil fuel use. Demand for gasoline, the main product we derive from oil, peaked before 2005 in Minnesota, Michigan, and Illinois. Even as our state’s demand for oil has decreased, the amount of oil moving across the state has increased. It is more important than ever that Minnesota’s laws keep up and keep our Certificate of Need calibrated to real-world consumer need in Minnesota and neighboring states, so that we don’t expose our property owners to unnecessary land seizures by the government, and our lands and water to unnecessary risk.

Now is the time to modernize Minnesota’s energy planning process to reflect what people truly need.

Sincerely,

Ben Olson
Legislative Director
Minnesota Center for Environmental Advocacy
bolson@mncenter.org // (818) 850-9976

² *In Re the Application of Enbridge Energy, Limited Partnership, for a Certificate of Need and a Routing Permit for the Proposed Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border*, Minn. Court of Appeals decision (Jun. 14, 2021).