

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

**Harmony Solar ND, LLC
Harmony Solar Project – Cass County
Siting Application**

Case No. PU-18-219

APPLICATION TO AMEND ORDER AND CERTIFICATE

I. Introduction.

Pursuant to North Dakota Century Code (“N.D.C.C.”) § 49-22-08(5), Harmony Solar ND, LLC (“Harmony Solar”) respectfully submits an application to the North Dakota Public Service Commission (“Commission”) requesting an amendment of the Commission’s Findings of Fact, Conclusions of Law and Order, dated February 26, 2019 (the “Order”) in Case No. PU-18-219 and Certificate of Site Compatibility Number 58 (“Certificate”) issued to Harmony Solar for the Harmony Solar Project (“Project”). Specifically, Harmony Solar requests the Commission amend its Order and Certificate with respect to Paragraph 14 of the Certification Relating to Order Provisions – Solar Energy Conversion Facility Siting (the “Certification”), incorporated into the Order and Certificate. More specifically, Harmony Solar requests an amendment authorizing it to bury direct current (“DC”) cables to a depth of at least 24 inches, rather than the 48-inch depth currently specified for electric cables. The accompanying Affidavit of Nathan Franzen (“Franzen Aff.”) is provided in support of this request.

II. Procedural History.

On February 26, 2019, the Commission issued its Order granting the Certificate to Harmony Solar and designating a site for the construction, operation, and maintenance of the up to 200-megawatt (“MW”) Project in Cass County, North Dakota.

On July 31, 2024, Harmony Solar filed an application for an order on continuing suitability, certifying that the site designed in the Commission’s Order and Certificate continues to meet the conditions upon which the Certificate was granted. On November 20, 2024, the Commission issued an Order on Continuing Suitability, authorizing Harmony Solar to begin construction of the Project pursuant to the Certificate as early as the second quarter of 2025 and no later than the second quarter of 2027.

III. Background.

For the Project, Harmony Solar will install two types of electrical cables – alternating current (“AC”) cables, and DC cables. *See* Franzen Aff., ¶ 4. The AC cables carry the power from the inverters to the Project substation, and will be installed at a depth of at least 48 inches to the top of the cables. Franzen Aff., ¶ 5. The DC cables connect the solar panels to the inverters. The DC cables will extend between each load break disconnect (“LBD”), which safely isolates the inverters from the DC power coming from the solar array, and each inverter, and have a standard depth of cover of 24 to 28 inches. Franzen Aff., ¶ 6. The DC cables have a different depth of cover than AC cables for a few reasons:

- The National Electric Code (“NEC”) requires a depth of cover of 24 inches for DC cables.¹
- The DC cable runs are short (an average of 282 feet, with the longest being 640 feet), the DC cables are installed either under (when crossing) or parallel to the internal access roads, and all the DC cables are within the fenced areas of the Project.

¹ *See* National Fire Protection Association, National Electrical Code (NFPA 70), Table 300.5 (2023).

- If the DC cables were installed to a depth of 48 inches, the system would need to be re-designed. In addition to needing more DC cables, the DC cables would need to be a larger diameter due to soil resistivity and the heat generated by the cable at the greater depth. These changes would increase Project costs by between \$500,000 and \$1,000,000.

Franzen Aff., ¶ 6.

IV. Amendment Request – Depth of Burial of DC Cables.

Paragraph 14 of the Certification states that the “Company understands and agrees that it shall bury all underground electrical cables to a depth of at least 48 inches to the top of the cables.” Harmony Solar requests that the Commission amend the Order by adding a provision that modifies Paragraph 14 of the Certification so as to differentiate between the depth of cover required for underground AC cables and underground DC cables. Since the Certificate references the Order, Harmony Solar requests that the amendment also be incorporated into the Certificate. At the time of Project decommissioning, Harmony Solar agrees to remove the underground DC cables (underground AC cables would be abandoned in place), and this commitment could be included as a requirement in the amended Order and Certificate. Franzen Aff., ¶ 8.

Accordingly, Harmony Solar respectfully requests that the Commission amend the Order and Certificate to include the following: “With respect to Paragraph 14 of the Certification Relating to Order Provisions – Solar Energy Conversion Facility Siting, Harmony Solar shall bury all underground AC electrical cables to a depth of at least 48 inches to the top of the cables, and shall bury all underground DC electrical cables to a depth of at least 24 inches to the top of the cables. At decommissioning, Harmony Solar shall remove underground DC cables.”

V. Conclusion.

For the reasons set forth above, Harmony Solar respectfully requests that the Commission grant its application to amend the Order and Certificate with respect to Certification Paragraph 14.

Dated this 23rd day of February, 2026.

FREDRIKSON & BYRON, P.A.

A handwritten signature in cursive script that reads "Mollie M. Smith". The signature is written in black ink and is contained within a thin black rectangular border.

By: _____

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