

June 24, 2021

**VIA ELECTRONIC MAIL and  
FEDERAL EXPRESS**

North Dakota Public Service Commission  
Attention: Steven M. Kahl, Executive Secretary  
600 East Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

Re: Northern States Power Company  
Advance Determination of Prudence  
200 MW Heartland Divide Wind II Facility  
Case No. PU-20-433  
OAH File No. 20200421

Dear Mr. Kahl:

Enclosed for filing in the above referenced case, please find Applicant Northern States Power Company's (Xcel Energy) Late Filed Exhibit 10 – Land Sale Information.

Please feel free to contact me with any questions or concerns.

Sincerely,

DORSEY & WHITNEY LLP



Zev Simpson

ZS/tjb

Enclosure

cc: Via Email and Certified Mail -  
Timothy J. Dawson, Administrative Law Judge (w/encl.)  
John M. Schuh, Advisory Counsel, Public Service Commission (w/encl.)  
Mitchell D. Armstrong, Special Assistant Attorney General (w/encl.)  
Jon C. Lengowski, Special Assistant Attorney General (w/encl.)  
Brian Johnson, Advocacy Staff, Public Service Commission (w/encl.)  
Adam Renfandt, Advocacy Staff, Public Service Commission (w/encl.)  
Victor Schock, Advocacy Staff, Public Service Commission (w/encl.)

**Late Filed Exhibit 10**  
**Case No. PU-20-433**  
**June 24, 2021**

This Late Filed Exhibit 10 is in response to requests for additional information with respect to the land sale by Northern States Power Company (NSP, Xcel Energy, or the Company) to an affiliate of Honeycrisp Power, LLC known as Jet Stream, LCC in support of Honeycrisp's development of a data center at the Sherco Generating Station site in Sherburne County, Minnesota.

On April 28, 2017, the Company and Jet Stream entered into an option agreement that would allow Jet Stream to purchase an approximately 315.2 acre parcel at the Sherco site on the following terms:

- In exchange for an escrow deposit of \$100,000, Xcel Energy granted Jet Stream an exclusive option and right to purchase 315.2 acres of land in Becker, Minnesota for a purchase price of \$20,000 per acre for a total price of \$6,304,000.
- This purchase price was also determined on the basis of an appraisal.
- Jet Stream's option is now good until January 1, 2024 subject to consideration of \$100,000 for each additional year the option is extended to be placed in escrow and credited against the purchase price upon closing.
- If it elects to exercise the option, Jet Stream's use of the property will be limited to developing it for commercial or industrial purposes.
- If Jet Stream exercises the option, the purchase and sale of the land must be closed within 30 days after the date on which the option is exercised.
- Aside from the specific representations and warranties made by Xcel Energy in the Option Agreement, Jet Stream—if it elects to exercise its option—agrees to take the property “as-is, where-is, with all faults” with not right of set-off or reduction in the purchase price.

Consistent with requirements of Minnesota Statute Section 216B.50, which requires Minnesota Public Utilities Commission (MPUC) approval for, among other things, utility sale of land in the state of Minnesota, the Company sought MPUC approval for the sale on June 30, 2017. The MPUC approved the sale on February 6, 2018 in MPUC Docket No. E002/M-17-528. Consistent with the Company's request and as ordered by the MPUC, the Company will return all proceeds from the land sale to customers. The Company intends to refund its North Dakota customers with their proportional share if and when the land sale closes.



<p>Mitchell D. Armstrong  Special Assistant Attorney General  Smith Porsborg Schweigert Armstrong  Moldenhauer &amp; Smith  122 East Broadway Ave.  P.O. Box 460  Bismarck, ND 58502-0460</p>	<p>Jon C. Lengowski  Special Assistant Attorney General  Smith Porsborg Schweigert Armstrong  Moldenhauer &amp; Smith  122 East Broadway Ave.  P.O. Box 460  Bismarck, ND 58502-0460</p>
<p>Brian Johnson  Special Assistant Attorney General  North Dakota Public Service  Commission  600 E Boulevard Ave. Dept 408  Bismarck, ND 58505-0060</p>	<p>Adam Renfandt  Public Utility Analyst  North Dakota Public Service  Commission  600 E Boulevard Ave, Dept 408  Bismarck, ND 58505-0408</p>
<p>Victor Schock  Public Utility Analyst  North Dakota Public Service  Commission  600 E Boulevard Ave, Dept 408  Bismarck, ND 58505-0408</p>	

*Lanai Alexander*  
Lanai Alexander

Subscribed and sworn before me this 24th day of June, 2021.

*Molly Cameron*  
Notary Public  
Hennepin County, Minnesota

