

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities  
Applied Block Chain – Dickey County  
Public Convenience and Necessity

Case Nos. PU-22-370  
PU-22-366

Dakota Valley Electric Cooperative, Inc.'s  
WITHDRAWAL OF PROTEST TO MDU'S APPLICATIONS FOR  
CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

[1] These matters came before the North Dakota Public Service Commission (hereinafter "Commission") on application of Montana-Dakota Utilities Co. (hereinafter "MDU") to serve a 180 MW data processing center and related office space being built by Applied Digital f/k/a Applied Blockchain (hereinafter "Applied") to be located in the SE¼SE¼ of Sec. 4 and NE¼NE¼ of Sec. 9, all in Twp. 129N., Rge. 63W., Dickey County, North Dakota (hereinafter "Applied Blockchain site"). The applications for temporary authority were filed with the Commission on September 16, 2022, and for permanent authority on October 14, 2022. A protest and request for hearing were filed by Dakota Valley Electric Cooperative, Inc. (hereinafter "Dakota Valley") on October 24, 2022. On December 19, 2022, a public hearing on the applications in both matters was held as scheduled.

[2] Subsequent to the hearing, the parties entered into settlement negotiations and on January 30, 2023, Dakota Valley and MDU entered into one or more agreements resolving and dispensing of the matters now before the Commission.

[3] Pursuant to said agreements, Dakota Valley stipulated that it would withdraw its protest to MDU's applications for permanent authority and certificates of public convenience and necessity and allow the Commission to grant the same to MDU without further protest, hearings or findings.

[4] NOW THEREFORE, Dakota Valley hereby withdraws its protest dated October 24, 2022, filed in these matters and asks that the Commission issue certificates of public convenience and necessity pursuant to MDU's applications dated on or about October 14, 2022. That the same be issued as though no protest occurred and without the necessity of entering any findings or order relative to the merits of the hearing held on December 19, 2022.

Dated this 2<sup>nd</sup> day of February, 2023.



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**CERTIFICATE OF SERVICE BY EMAIL**

STATE OF NORTH DAKOTA    )  
  )ss  
COUNTY OF LAMOURE        )

[1]     I, Kimberly J. Radermacher, do hereby certify that February 2, 2023, I served the following document(s):

**A. DAKOTA VALLEY ELECTRIC COOPERATIVE, INC.'S WITHDRAWAL OF PROTEST TO MDU'S APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY**

[2]     by sending a true and correct copy thereof via email to:

**Hope Hogan  
Administrative Law Judge  
hhogan@nd.gov**

**Paul Sanderson, Attorney  
Montana-Dakota Utilities Co.  
psanderson@esattorneys.com**

**North Dakota Public Service Commission  
ndpsc@nd.gov  
jschuh@nd.gov  
jghamre@nd.gov**

[3]     To the best of my knowledge, information and belief, such email addresses are the addresses of the parties intended to be served. That the above document was duly served in accordance with the applicable provisions of North Dakota law.

Dated this 2<sup>nd</sup> day of February, 2023.



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