Fredrikson

Fredrikson & Byron, P.A.
Attorneys and Advisors

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Minneapolis, MN 55402-4400
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June 26, 2024

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Steven Kahl
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

RE: Flat Rock Wind Project, LLC's Ten Year Plan for 2024-2034
Case No. PU-24-____

Dear Mr. Kahl:

Enclosed for filing are two copies of the following documents:

1. Flat Rock Wind Project, LLC's Ten Year Plan: 2024-2034;
2. Notice of Filing Ten Year Plan: 2024-2034; and
3. Certificate of Service.

Electronic versions of the above-referenced documents and this letter were filed with the Commission today via e-mail.

If you have any questions, please let me know.

Sincerely,

Mollie M. Smith

MOLLIE M. SMITH

MMS/82622744
Enclosures

cc: Austin Collins (w/ encls. via e-mail)

1 PU-24-247 Filed 06/26/2024 Pages: 13
2024 Ten Year Plan
Flat Rock Wind Project, LLC
Mollie Smith, Fredrikson&Byron, P.A.

TEN YEAR PLAN: 2024-2034
Flat Rock Wind Project, LLC

June 2024

In accordance with N.D.C.C. § 49-22-04 and N.D.A.C. Ch. 69-06-02, Flat Rock Wind Project, LLC ("Flat Rock") submits the following Ten Year Plan for years 2024 through 2034.

(1) A description of the general location, size, and type of all facilities to be owned or operated by the utility during the ensuing ten years, as well as those facilities to be removed from service during the ten-year period.

Flat Rock is proposing to develop and construct an up to 300 MW wind energy conversion facility known as the Flat Rock Wind Project ("Wind Project") and an associated 230-kilovolt ("kV") transmission line to connect the Wind Project to the grid ("Transmission Line") (collectively, the "Project"). The Wind Project will be located in Morton County and Oliver County, North Dakota. The Transmission Line will be approximately 12 miles in length and extend from the Wind Project substation in Morton County to the point of interconnection to the grid at the Square Butte Substation, located in Oliver County, North Dakota.

Other than the proposed Wind Project and Transmission Line, Flat Rock does not have any transmission or generation facilities located in North Dakota. The Project will have an estimated life of greater than 10 years. As such, Flat Rock does not have any plans to decommission any transmission or generation facilities within the timeframe of this plan.

(2) An identification of the location of the tentative preferred site for all energy conversion facilities and the tentative location of all transmission facilities on which construction is intended to be commenced within the ensuing five years and such other information as may be required by the commission. The site and corridor identification shall be made in compliance with the criteria published by the commission pursuant to section 49-22-05.1.

The proposed Wind Project will be located in Morton County and Oliver County, North Dakota. The anticipated route for the Transmission Line will extend from the Wind Project substation in Morton County to its planned point of interconnection to the grid at the Square Butte Substation, located in Oliver County, North Dakota. A map depicting the proposed Wind Project site and Transmission Line corridor and route is provided in **Exhibit A**, attached hereto. The Project will be designed so as to comply with the exclusion and avoidance areas referenced in N.D.C.C. § 49-22-05.1 and identified in N.D.A.C. Ch. 69-06-08.

(3) A description of the efforts by the utility to coordinate the plan with other utilities to provide a coordinated regional plan for meeting the utility needs of the region.

Flat Rock is in the process of identifying an offtaker for the Wind Project's output. Energy produced by the Wind Project may help local or regional utilities to meet applicable renewable energy needs. The Wind Project is currently in the Minnkota Power Cooperative, Inc.'s interconnection queue and is in the process of working towards a Generator Interconnection Agreement.

(4) A description of the efforts to involve environmental protection and land-use planning agencies in the planning process, as well as other efforts to identify and minimize environmental problems at the earliest possible stage in the planning process.

Flat Rock has engaged the services of qualified environmental consulting firms to study and identify avoidance and exclusion areas within the proposed Wind Project site and Transmission Line corridor and route, in accordance with N.D.C.C. Ch. 49-22 and N.D.A.C. Ch. 69-06-08. Additionally, Flat Rock is consulting with applicable state and federal agencies to avoid, minimize, and/or mitigate any impacts to the environment from the construction and operation of the Project. Flat Rock has been and will continue to work with Morton County and Oliver County, and plans to engage the associated townships to ensure conformance with local land use regulations.

(5) A statement of the projected demand for the service rendered by the utility for the ensuing ten years and the underlying assumptions for the projection, with that information being as geographically specific as possible, and a description of the manner and extent to which the utility will meet the projected demands.

As discussed above, Flat Rock is in the process of identifying an offtaker for the Wind Project's output. Flat Rock is actively marketing the Wind Project to a number of potential off-takers and may sell the power in the form of a power purchase agreement ("PPA"), directly on the merchant market, or the Project could be owned directly by a utility. As an independent power producer, Flat Rock is able to bid into a variety of markets. Utilities, commercial and industrial customers seeking to diversify and build their energy generation portfolios are attracted to wind energy projects because of their ability to offer long-term contracts at a fixed and competitive price while simultaneously providing the associated environmental benefits to meet existing and future renewable energy procurement and sustainability goals and mandates. In North Dakota, excellent wind resources create high-capacity factor generation, reducing the cost/megawatt hour ("MWh"), and increasing the attractiveness of projects in the region. In general, renewable energy sources provide lower costs/MWh than conventional sources.[1] Thus, the Wind Project could help satisfy local, regional, or even national renewable energy demands.

Locally, in 2021, the North Dakota Legislature enacted a statutory provision adopting a low-emission technology initiative, which establishes a goal that the "agricultural, forestry, natural resources, and working land of the United States should provide energy from low-emission technology and continue to produce safe, abundant, and affordable food, fuel, feed, and fiber."[2] As used in this initiative, low-emission technology includes, among others, wind. Additional renewable resources will be needed to meet the low-emission technology initiative.

With improving technology and falling costs, utilities are beginning to include renewable energy projects in their resource plans as long-term economic energy and capacity resources. As

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[1] Lazard, *Lazard's Levelized Cost of Energy Analysis – Version 16.0* (April 2023), at 2. Accessed online June 4, 2024. Retrieved from https://www.lazard.com/media/typdgxmm/lazards-lcoeplus-april-2023.pdf.
[2] *See* N.D.C.C. § 17-01-01.

noted above, in North Dakota, excellent wind resources create high capacity factor generation, reducing the cost/MWh, and in general, alternative energy sources provide lower costs per MW-hour than conventional sources.[3] Wind and solar costs have fallen 41 and 57 percent, respectively, over the last decade, making them the most affordable new electricity sources in most of the U.S.[4] By the end of 2022, 27 states were generating at least 10 percent of electricity from wind, utility-scale solar, and small-scale solar.[5]

A need also exists for renewable energy produced in North Dakota to meet state renewable portfolio standards. Ten of the MISO states currently have either mandated or voluntary renewable portfolio standards or policies.[6] Under current state standards, aggregate United States renewable portfolio standard demand more than doubles from 400 terawatt hours ("TWh") in 2023 to 900 TWh in 2050.[7] Given existing renewable energy capacity, roughly 300 TWh of additional clean electricity supply will be required by 2030 and 800 TWh by 2050.[8] In addition, the regional transmission grid is being expanded to deliver wind generation in a cost-effective manner; specifically, MISO's Multi-Value Project ("MVP") Portfolio is expected to enable 41 million megawatt hours ("MWh") of wind energy per year to meet renewable energy mandates and goals.[9]

In addition to traditional utility demand for wind energy, a growing number of corporations are turning to renewable energy to save money on energy and meet sustainability goals. Corporate customers either purchase renewable energy directly or obtain renewable benefits and cost savings through financially settled contracts, sometimes called virtual PPAs. In addition, many utilities are creating "green tariffs," which allow customers to purchase up to 100 percent renewable energy from the utility.[10]

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[3] Lazard, *Lazard's Levelized Cost of Energy Analysis – Version 16.0* (April 2023), at 2.

[4] American Clean Power, 2022 American Clean Power Annual Market Report (2022). Accessed online June 4, 2024. Retrieved from https://cleanpower.org/wp-content/uploads/2023/05/2022-ACP-Annual-Report_Public.pdf ("2022 ACP Market Report").

[5] 2022 ACP Market Report.

[6] U.S. Energy and Information Administration, Renewable energy explained, Portfolio standards (last updated November 30, 2022). Accessed online June 4, 2024. Retrieved from https://www.eia.gov/energyexplained/renewable-sources/portfolio-standards.php.

[7] *See* Lawrence Berkeley National Laboratory, U.S. State Renewables Portfolio & Clean Energy Standards, 2023 Status Update (June 2023), at 23. Accessed online June 4, 2024. Retrieved from https://eta-publications.lbl.gov/sites/default/files/lbnl_rps_ces_status_report_2023_edition.pdf.

[8] *See* Lawrence Berkeley National Laboratory, U.S. State Renewables Portfolio & Clean Energy Standards, 2023 Status Update (June 2023), at 23.

[9] MTEP18, MISO Transmission Enhancement Plan, at 42. Accessed online June 4, 2024. Retrieved from https://cdn.misoenergy.org/MTEP18%20Full%20Report264900.pdf.

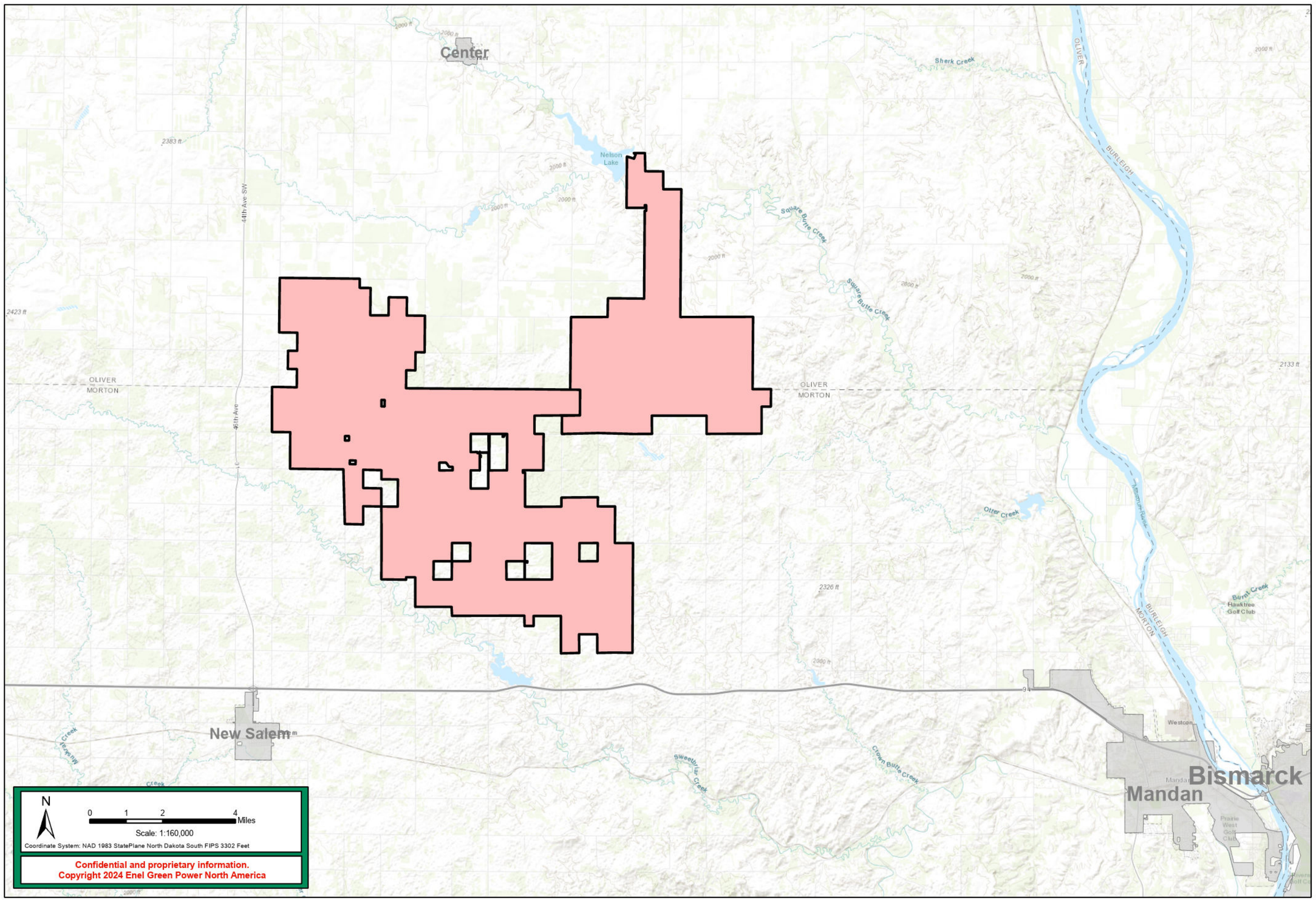
[10] U.S. Environmental Protection Agency – Green Power Partnership. Guide to Purchasing Green Power. Chapter 4. Accessed online June 4, 2024. Retrieved from https://www.epa.gov/sites/default/files/2016-01/documents/purchasing_guide_for_web.pdf.

Beyond the growing demand from utilities, corporations such as Apple, Google and Facebook, along with many others, have recently set goals to obtain 100 percent of their energy from renewables. These clean energy goals fuel the demand for corporate renewables procurement and subsequent PPAs. According to Wood Mackenzie's report titled an "*Analysis of Commercial and Industrial Wind Energy Demand in the United States*," the United States is "at the beginning stage of a corporate renewables procurement boom," with approximately "85 gigawatts of renewable energy demand" from the "largest U.S. companies" alone through 2030.[11]

In summary, the renewable energy produced by Flat Rock's Wind Project and transmitted to the grid via Flat Rock's Transmission Line will be positioned to help meet local renewable energy initiatives/goals, the regional need for renewable energy, and national C&I customer demand.

[11] Michelle Froese, *Corporates usher in new wave of US wind and solar growth* (Aug. 27, 2019). Accessed online June 4, 2024. Retrieved from https://www.windpowerengineering.com/corporations-usher-in-new-wave-of-u-s-wind-and-solar-growth/.

Flat Rock Wind Project



Legend

Flat Rock Project Area

EXHIBIT A

The following companies and organizations provided data that contributed to the production of this map.

U.S. Geological Survey (USGS)
Environmental Systems Research Institute (ESRI)
U.S. Department of Agriculture (USDA)
U.S. Federal Aviation Administration (FAA)
WhiteStar Corporation
Core Logic
Ventyx Inc.
Real Estate Portal USA

Analyst: NE0003153 Date: 6/25/2024

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE FILING OF A TEN YEAR PLAN BY FLAT ROCK WIND PROJECT, LLC

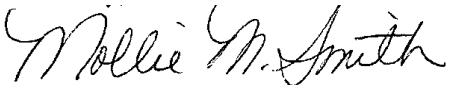
Case No. PU-24-___

NOTICE OF FILING TEN YEAR PLAN 2024-2034

PLEASE TAKE NOTICE that Flat Rock Wind Project, LLC, in accordance with N.D.C.C. § 49-22-04 and N.D.A.C. Ch. 69-06-02, filed a Ten Year Plan for the years 2024 through 2034 with the North Dakota Public Service Commission on June 26, 2024, and the Oliver County and Morton County Auditors on June 26, 2024.

Dated this 26th day of June, 2024.

FREDRIKSON & BYRON, P.A.



By_____

MOLLIE M. SMITH, ND Bar #06714
Attorney for Flat Rock Wind Project, LLC
60 South Sixth Street, Suite 1500
Minneapolis, MN 55402-4400
(612) 492-7270

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the following document:

NOTICE OF FILING TEN-YEAR PLAN: 2024-2034

was served on the 26th day of June, 2024 by placing the same in the United States mail, postage prepaid, properly addressed to the following:

North Dakota Aeronautics Commission
P.O. Box 5020
Bismarck, ND 58502-5020

North Dakota Office of Attorney General
600 E. Boulevard Ave.
Dept. 125
Bismarck, ND 58505-0040

North Dakota Department of Agriculture
600 E. Boulevard Ave.
Dept. 602
Bismarck, ND 58505-0020

North Dakota Department of Health
600 E. Boulevard Ave.
Bismarck, ND 58505-0250

North Dakota Department of Human Services
600 E. Boulevard Ave.
Dept. 325
Bismarck, ND 58505-0250

North Dakota Department of Labor and Human Rights
600 E. Boulevard Ave.
Dept. 406
Bismarck, ND 58505-0340

North Dakota Department of Career and Technical Education
State Capitol, 15th Floor
600 E. Boulevard Ave., Dept. 270
Bismarck, ND 58505-0610

North Dakota Department of Commerce
1600 E. Century Ave., Suite 6
P.O. Box 2057
Bismarck, ND 58502-2057

Energy Infrastructure and Impact Office
North Dakota Department of Trust Lands
1707 North 9th Street
Bismarck, ND 58501

North Dakota Game and Fish Department
100 N. Bismarck Expressway
Bismarck, ND 58501-5095

North Dakota Industrial Commission
State Capitol, 14th Floor
600 East Boulevard Ave., Dept. 405
Bismarck, ND 58505-0840

Office of Governor Doug Burgum
State of North Dakota
600 E. Boulevard Ave.
Bismarck, ND 58505-0001

North Dakota Department of Transportation
608 E. Boulevard Ave.
Bismarck, ND 58505-0700

State Historical Society of North Dakota
612 E. Boulevard Ave.
Bismarck, ND 58505-0830

North Dakota Indian Affairs Commission
State Capitol Building
600 E. Boulevard Ave.
1st Floor - Judicial Wing, Rm. #117
Bismarck, ND 58505-0300

Job Service North Dakota
P.O. Box 5507
Bismarck, ND 58506-5507

North Dakota Department of Trust Lands
1707 North 9th Street
Bismarck, ND 58501

North Dakota Parks and Recreation Department
Liberty Memorial Building
604 E Boulevard Ave, Dept. 750
Bismarck, ND 58505

Natural Resources Conservation Service
North Dakota NRCS State Office
220 East Rosser Avenue
Federal Building
Bismarck, ND 58502-1458

North Dakota Department of Water Resources
1200 Memorial Highway, Dept. 770
Bismarck, ND 58504

United States Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

United States Fish and Wildlife Service
North Dakota Ecological Services Field Office
3425 Miriam Avenue
Bismarck, ND 58501-7926

United States Army Corps of Engineers
North Dakota Regulatory Office
3319 University Drive
Bismarck, ND 58504

Federal Aviation Administration
United States Department of Transportation
800 Independence Ave. SW
Washington, DC 20591

North Dakota Transmission Authority
c/o North Dakota Industrial Commission
State Capitol 14th Floor
600 E. Boulevard Ave. Dept. 405
Bismarck, ND 58505-0840

North Dakota Pipeline Authority
c/o North Dakota Industrial Commission
State Capitol 14th Floor
600 E. Boulevard Ave. Dept. 405
Bismarck, ND 58505-0840

North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324

North Dakota Geological Survey
600 East Boulevard Avenue,
Bismarck, ND 58505-0840

North Dakota Forest Service
State Headquarters - Molberg Center
307 - 1st Street East
Bottineau, ND 58318-1100

Federal Bureau of Land Management
Montana/Dakotas State Office
5001 Southgate Drive
Billings, MT 59101

Military Aviation and Installation Assurance Siting Clearinghouse
3400 Defense Pentagon, Room 5C646
Washington, DC 20301 – 3400

20th Airforce 91st Missile Wing
196 Missile Ave.
Minot AFB, ND 58705-5006

Minot Air Force Base
196 Missile Ave.
Minot AFB, ND 58705-5006

Grand Forks Air Force Base
757 Tuskegee Amn. Blvd.
Grand Forks Air Force Base, ND, 58205
Building 418, East Entrance

Oliver County Board of Commissioners
c/o Jaden Schmidt, County Auditor
PO Box 188
115 West Main
Center, North Dakota 58530

Morton County Board of Commissioners
c/o Dawn Rhone, County Auditor
County Courthouse
210 2nd Ave NW
Mandan, North Dakota 58554

Mollie M. Smith

MOLLIE M. SMITH

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE FILING OF A TEN YEAR PLAN BY FLAT ROCK WIND PROJECT, LLC **Case No. PU-24-____**

CERTIFICATE OF SERVICE

Mollie M. Smith, being first duly sworn, does depose and state that on June 26, 2024, she served the following document:

Ten Year Plan: 2024-2034

by placing true and correct copies of said document in envelopes addressed as follows:

Dawn Rhone
Morton County Auditor
County Courthouse
210 2nd Ave NW
Mandan, North Dakota 58554

Jaden Schmidt
Oliver County Auditor
PO Box 188
115 West Main
Center, North Dakota 58530

and depositing the same, with postage prepaid, in the United States mail at Minneapolis, Minnesota.

Mollie M. Smith