

PU-24-342

Application to Amend Order Thermal Generation Commitment

September 24, 2025



AMENDMENTS SOUGHT

The new deadline sought is December 31, 2032. However, the deadline may be extended to December 31, 2035 if the Company demonstrates that it made good faith efforts to achieve a 2032 in-service date and that an in-service date prior to the end of 2035 will be achieved.

- “Good faith efforts” include, but are not limited to, placing a deposit on a turbine, securing a MISO interconnection agreement, or obtaining the necessary regulatory approvals in applicable jurisdictions to construct the project.
- The Commission has authority to determine if actions beyond those listed above constitute good faith efforts.

Beginning on January 1, 2027 the Company agrees to provide semi-annual reports detailing progress on the development of the project.

- Will include a project development chart with up-to-date regulatory, equipment procurement, pipeline development, and construction timeline estimates complete with financial commitments.
- We have included with the Amended Settlement the Company’s current project development chart, which is to be consistent in form and content with charts to be provided in future semi-annual reports.

AMENDMENTS SOUGHT

The refund, or other remedies acceptable to the Commission, would be equal in customer value to 75 percent of the revenues collected from ND Customers for certain biomass power purchase agreements.

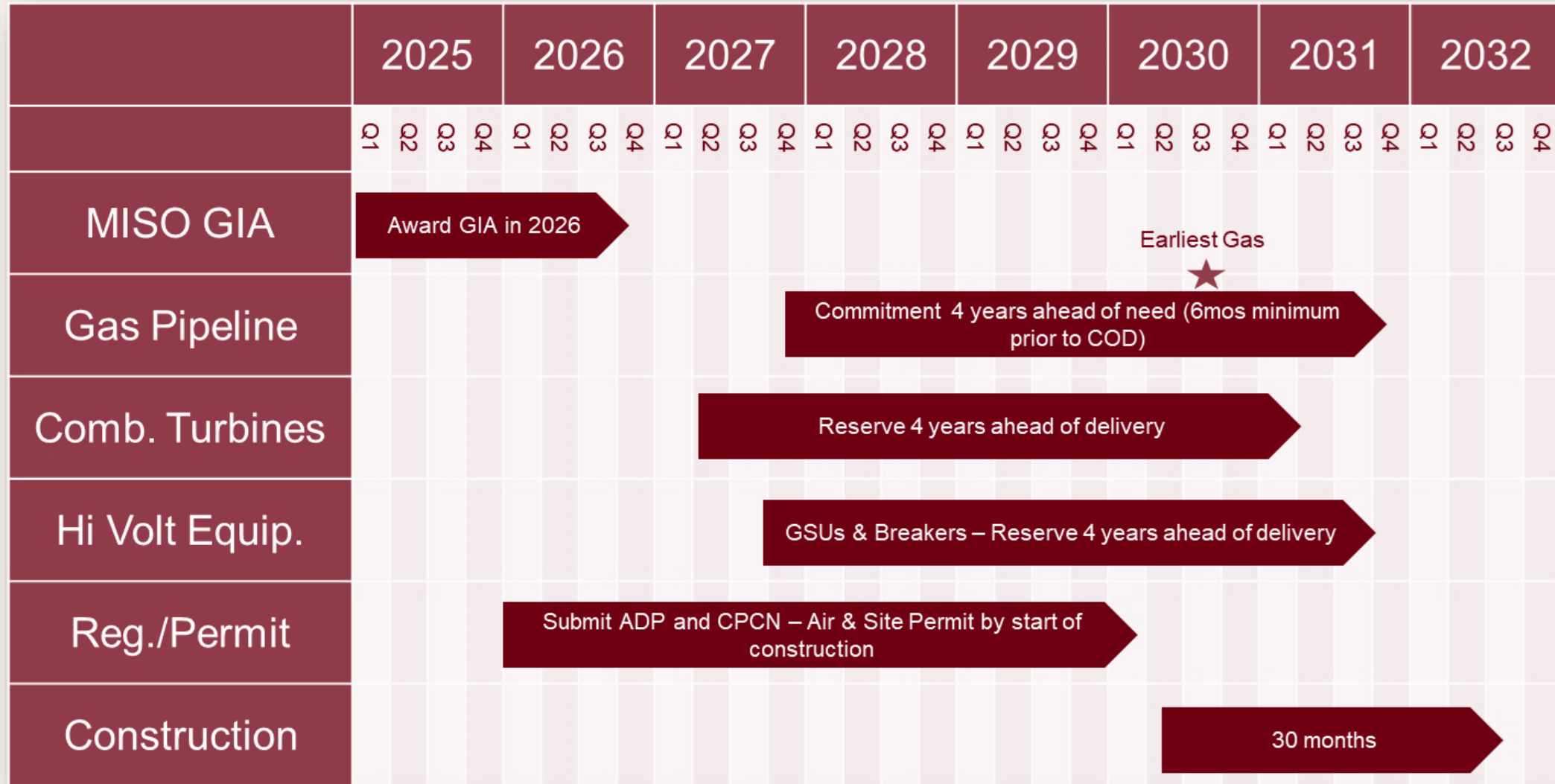
- The refund (or other remedies) has been increased from 50 percent to 75 percent in recognition of the timeline extension sought herein.
- The language has been revised to provide flexibility to the Commission on what is to constitute a remedy. It is our position that the Commission always had discretion on this matter; we have simply confirmed it in writing.

The cost allocation commitment has been revised to include methods deemed acceptable by the Commission

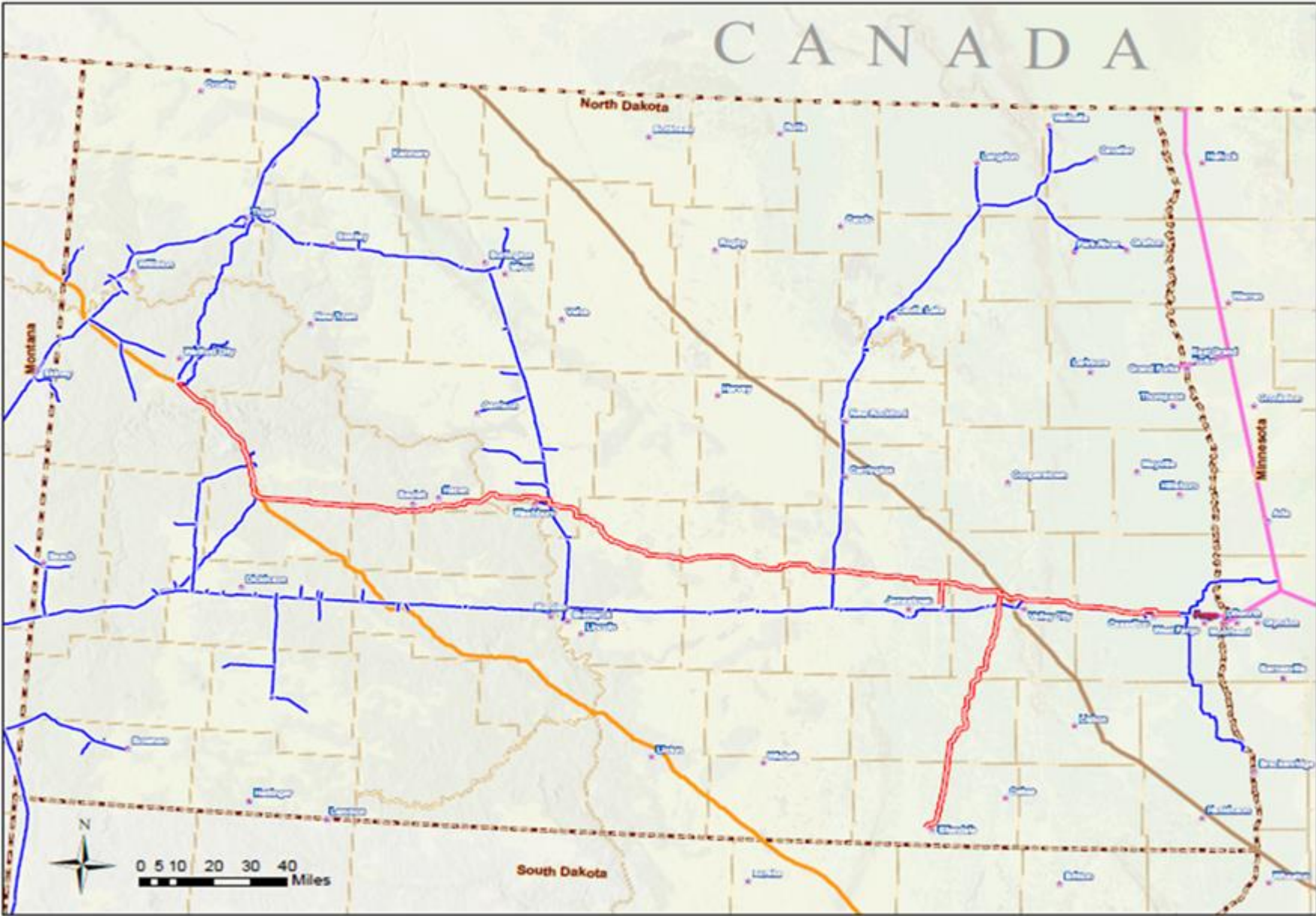
- This modification provides greater flexibility by allowing for future cost allocations that may differ from our normal cost allocation between jurisdictions.
- Given the rapidly evolving state of thermal generation development due to large customer demand and other factors, flexibility on cost allocation would be a benefit to the Commission, the Company and our customers.



Project Development Chart (Q3 2032 COD)



WBI's Bakken East Natural Gas Pipeline Route



Bison Generating Station

Project Vicinity Map

