

**STATE OF NORTH DAKOTA  
BEFORE THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

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| In the Matter of the Application of )      | Docket No. PU-24-376         |
| Northern States Power Company for )        | OAH File No. 20240494        |
| Authority to Increase Rates for Electric ) |                              |
| Service in North Dakota )                  | <b>PETITION TO INTERVENE</b> |
| )  | <b>BY WALMART INC.</b>       |

Walmart Inc.<sup>1</sup> (“Walmart”), by and through its undersigned counsel and pursuant to North Dakota Administrative Code (“N.D. Admin. Code”) 69-02-02-05, hereby petitions the North Dakota Public Services Commission (“Commission”) for intervention in the above captioned proceeding filed by Northern States Power Company (“NSP” or “Company”). In support thereof, Walmart states as follows:

1. N.D. Admin. Code 69-02-02-05 provides that a petition to intervene “must be in writing and must set forth the grounds for intervention, the position and interest of the petitioner in the proceeding, what the petitioner would contribute to the hearing, and whether the petitioner's position is in support of or in opposition to the relief sought.”

2. On December 2, 2024, the Company filed an Application and Notice of Change in General Electric Rates, together with proposed Tariff Sheets and witness testimony in which it is proposing, among other things, to increase electric base rates and make other changes in its charges for electric services provided to its North Dakota customers. Specifically, the Company is seeking a total annual increase of \$44.556 million or 19.34% for electric service based on a 2025 future test year. The Company states that the primary reason for the increase in electric rates is the Company’s increased capital investments, including in the electric generation, transmission, and distributions systems, increased operation and maintenance expenses, and increased depreciation.

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<sup>1</sup> Walmart Inc. was formerly known as Wal-Mart Stores, Inc. and Sam’s West, Inc.

3. Walmart is a Delaware corporation authorized to do business in North Dakota. Walmart's corporate headquarters is located at 702 SW 8<sup>th</sup> Street, Bentonville, Arkansas 72716. As shown on Walmart's website, Walmart operates 17 retail units and employs over 5,300 associates in North Dakota. In fiscal year ending 2024, Walmart purchased \$45.4 million worth of goods and services from North Dakota-based suppliers, supporting over 5,500 supplier jobs.<sup>2</sup>

4. Walmart is a large retail customer of the Company owning and operating approximately four stores and related facilities, including Walmart stores, a Sam's Club, and a gas station, within the service territory of the Company, primarily in the Commercial and Industrial service class. Electricity is one of Walmart's largest costs of doing business in North Dakota. As a large energy user, NSP's requested increase in rates and charges for electricity will have a direct impact on Walmart's operations in North Dakota and substantially affect the pecuniary and tangible interests of Walmart. Accordingly, Walmart has a justiciable interest in this proceeding.

5. Walmart's interests are not adequately represented by any other party to this proceeding because of Walmart's unique status as a large retail electric customer.

6. Walmart may present evidence through direct testimony, as well as cross-examination, on issues arising in this proceeding, including, but not limited to, the following issues: (a) appropriate rate of return and the cost of equity; (b) appropriate expenses that should be recovered by ratepayers; and (c) appropriate adjustments to costs of service studies and rate design issues, if any. However, the exact nature and quantity of any evidence to be presented by Walmart in this proceeding is not yet known. Walmart reserves the right to participate in this proceeding as its interest continues to develop throughout the course of the proceeding.

7. Walmart's intervention is timely.

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<sup>2</sup> <https://corporate.walmart.com/about/location-facts/united-states/north-dakota>

8. Walmart's intervention will not unduly broaden the issues or delay the proceedings, nor will its intervention prejudice any parties.

9. The nature and quantity of any evidence to be presented by Walmart in this proceeding is not yet known. Walmart reserves the right to participate in this proceeding as its interest continues to develop throughout the course of the proceeding.

10. A copy of this Petition to Intervene has been served upon the parties to this proceeding as provided in the attached Certificate of Service. Copies of all notices, orders, or pleadings in this proceeding should be served upon:

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For electronic service only, also:

Adrienne S. Balfour  
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WHEREFORE, Walmart submits this timely Petition to Intervene and respectfully requests that the Commission grant its Petition and allow it to participate with full rights as a party in this proceeding.

DATED this the 31st day of January, 2025.

Respectfully submitted,

CLARK ENERGY LAW, LLC



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ATTORNEYS FOR WALMART INC.

## CERTIFICATE OF SERVICE

I hereby certify that, on the 31st day of January, 2025, the original and seven (7) copies of the foregoing was mailed and emailed to the following:

Steve Kahl, Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 480  
Bismarck, ND 58505-0480  
ndpsc@nd.gov

With a single copy delivered via e-mail to the following:

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