

July 21, 2025

Via Electronic Mail & Hand Delivery

Mr. Adam Renfandt
Public Utilities Analyst
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
arenfandt@nd.gov
ndpsc@nd.gov

**In re: Emmons-Logan Energy Storage, LLC
Emmons-Logan Battery Energy Storage System – Emmons County
Case No. PU-25-209**

Dear Mr. Renfandt:

I am writing on behalf of my client Emmons-Logan Energy Storage, LLC (“Emmons-Logan”). Per your request, I am writing to provide additional information regarding the below noted items.

Filing fee

Emmons-Logan’s application states the project cost is approximately \$181 million. The checks issued to the Commission pursuant to N.D.C.C. §§ 49-22-22(1), 49-22-22(4) were based on an estimated project cost of \$191 million. The larger \$191 million cost estimate reflects the current estimated project cost which includes additional contingency costs associated with project construction.

Geotechnical Report

You had inquired about the background as to why a Geotechnical Report had been conducted for the project. A geotechnical engineering study, including soil borings, was conducted to explore and evaluate the subsurface conditions at various locations on the site to develop the geotechnical design and construction recommendations for the project. This information was included within a Geotechnical Report done for the project. As part of the Geotechnical Report, a Geohazard Assessment was conducted to assess any geologic or physical hazards to the project. These types of assessments are routinely done to inform facility design and construction as general best practice.

Weed Plan

A Weed Plan was included as part of the project's conditional use permit application submitted to Emmons County. Emmons-Logan is coordinating with the Emmons County Weed Board. Emmons-Logan will provide a status update once it has confirmed the scope of the County's requirements.

Tribal Consultation

Outreach to Tribes concerning the project began on March 19, 2025 with a notification letter sent to the Tribes, as described in the project's application. Docket No. 1, pg. 52. The project was discussed with the Tribes in-person at the North Dakota Department of Transportation's Tribal Consultation Committee Meeting on the afternoon of April 9, 2025, at the Radisson Hotel in Bismarck, to address any questions and concerns about the project. Based on follow-up questions, a site visit was offered to the Northern Cheyenne Tribe Tribal Historic Preservation Officer (THPO), but after further in-person discussion on June 21, 2025, the THPO concluded it was unnecessary to have a site visit and that there were no objections to the project should it proceed as planned. No other concerns have been identified by the THPO since the April 9, 2025 in-person discussion, and no further outreach is planned at this time. An Unanticipated Discovery Plan will be in place for this project and will include Tribal coordination, if a precontact site or feature is discovered during construction.

Please do not hesitate to contact me with any additional questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh

cc: Tracy Davis (via email)
Erik Edison (via email)

Bauske, Shelly A.

From: Renfandt, Adam L.
Sent: Wednesday, July 23, 2025 10:28 AM
To: Bauske, Shelly A.
Subject: RE: Question - Case No. PU-25-209

Hi Shelly,

That's what I was expecting, so the checks can be deposited.

Thanks,
Adam

From: Bauske, Shelly A. <sbauske@nd.gov>
Sent: Wednesday, July 23, 2025 10:11 AM
To: Renfandt, Adam L. <arenfandt@nd.gov>
Subject: RE: Question - Case No. PU-25-209

Hi Adam

It looks like we received the requested clarification, Docket No. 3. Please confirm this is what you're looking for, and if it is, I'll go ahead and ask Erica to receipt the two checks.

Thank you for your help in getting this issue resolved.

From: Renfandt, Adam L. <arenfandt@nd.gov>
Sent: Wednesday, July 16, 2025 8:13 AM
To: Bauske, Shelly A. <sbauske@nd.gov>
Subject: RE: Question - Case No. PU-25-209

Hi Shelly,

I followed up with Casey, and she'll be filing a letter clarifying that the actual cost with contingency is \$191M. As soon as that comes in you can use that as documentation. Attached is the fee calculation.

Thanks,
Adam

From: Renfandt, Adam L.
Sent: Thursday, July 10, 2025 4:19 PM
To: Bauske, Shelly A. <sbauske@nd.gov>
Subject: RE: Question - Case No. PU-25-209

Hi Shelly,

I just asked. I'll let you know what I hear.

Thanks,
Adam

From: Bauske, Shelly A. <sbauske@nd.gov>
Sent: Thursday, July 10, 2025 4:15 PM
To: Renfandt, Adam L. <arenfandt@nd.gov>
Subject: Question - Case No. PU-25-209

Hi Adam

Do you have an update from Casey regarding the application/siting admin fees for Case No. PU-25-209?

Thank you.

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.

June 18, 2025

Via Hand Delivery & Electronic Mail

Mr. Steve Kahl
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: Emmons-Logan Energy Storage, LLC
Emmons County
Siting Application

Dear Mr. Kahl:

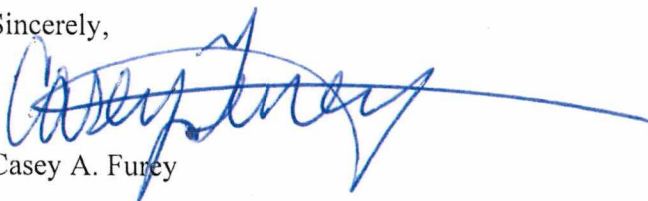
Enclosed for filing please find the following:

- 1) Emmons-Logan Energy Storage, LLC's Application for a Certificate of Site Compatibility in Emmons County, North Dakota (8 copies).
- 2) NextEra Energy Resources Development LLC's check in the amount of \$95,500.00 for the Commission's filing fee set forth under N.D.C.C. § 49-22-22(1)(a).
- 3) NextEra Energy Resources Development LLC's check in the amount of \$38,200.00 for the Commission's administrative filing fee set forth under N.D.C.C. § 49-22-22(4).
- 4) Publication Map (8 copies).
- 5) Notice of Appearance.

We are also enclosing a USB containing project GIS and an electronic version of the application for your convenience.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh

Enc.

cc: Tracy Davis (via email)
Clint Scherb (via email)
Dina Brown (via email)
Erik Edison (via email)

TABLE 2.5-1		
Factors to be Considered		
Consideration	Evaluation	Section Addressed
k. Problems raised by federal agencies, other state agencies, and local entities.	As part of development of the Project, Emmons-Logan Energy Storage and its representatives have maintained close coordination with federal agencies, state agencies, and local entities through a combination of in-person meetings, emails, mailers, and phone calls. Correspondence with federal agencies, other state agencies, and local entities are summarized in Section 7.0 and Appendix F includes copies of the correspondence.	7.0, Appendix F

2.6 DESIGN AND CONSTRUCTION LIMITATIONS

The Project will be designed and constructed in accordance with industry standards and regulatory requirements, ensuring safety, efficiency, and environmental compliance. Design considerations will include factors such as capacity, voltage requirements, integration with the existing grid infrastructure, and safety features, such as fire protection systems and emergency shutdown protocols. Construction limitations will be managed through planning, adhering to construction schedules, and quality control measures to ensure that the Project meets all specified design criteria and operational expectations.

2.7 ECONOMIC CONSIDERATIONS

Economics were considered when selecting a location for the Project. The Project will create approximately two to three full-time O&M jobs. These employees are expected to reside locally. Additionally, the Project will create up to 150 temporary construction jobs over the approximately 9- to 12-month construction period, with the number of workers on-site at any given time varying depending on the phase of construction.

The estimated total cost to construct the Project is approximately \$181 million.

2.8 COUNTY CRITERIA

Emmons-Logan Energy Storage is committed to transparency and community involvement. Consistent with this commitment, Emmons-Logan Energy Storage has conducted meetings with the Emmons County Commission to inform the County of the Project and to provide comprehensive updates on the Project's progress. Emmons-Logan Energy Storage is prioritizing close coordination with Emmons County throughout development.

Emmons-Logan Energy Storage introduced the Project to the Board of County Commissioners of Emmons County on October 4, 2024, to discuss various topics, including development, grid reliability and schedule. Emmons-Logan Energy Storage met again with the County on February 4 and April 1, 2025, to discuss permitting as well as provide updates on the Project. Emmons-Logan Energy Storage attended the county commission meeting on April 1, 2025, to discuss various aspects of the Project including the Conditional Use Permit, application costs, setbacks, and established industry standards and safety codes that the Project must comply with. Emmons-Logan then followed up with the county auditor on April 3, 2025 to discuss the Project.

Emmons-Logan Energy Storage will continue to meet with county officials as the Project moves forward. The Project has been designed to comply with or exceed the regulations required by the

Case Number: PU-25-209

Case Description: Emmons-Logan Energy Storage - Emmons County

Analyst Initials: AR

Original Dollar Value of Investment in ND	-
Application Investment Amount in ND	191,000,000.00
Total Investment	191,000,000.00

Note: Email from company or docketed case files must be attached as support for Total Investment Amount

Siting Application Fee	95,500.00	PSC Accounting use only:	
Siting Admin Fee*	38,200.00	7800 - 301 - 420260 JE:	<u>2560117</u>
Total Fees Due	133,700.00	1400 - 510 - 464160 JE:	<u>2560117</u>

Siting Admin Fee:

* For new or transfer siting applications only. Not amendments.

*Per NDCC 49.22.1-21 & 49-22-22, \$200 for each \$1 million of original investment, not to exceed \$50,000

Siting Application Fee:

Per NDCC 49.22.1-21 & 49-22-22, For a certificate of site compatibility, \$500 for each \$1 M of investment in the facility. Not less than \$10k or more than \$100k.

Per NDCC 49.22.1-21 & 49-22-22, For a certificate of corridor compatibility, \$5,000 for each \$1 M of investment in the facility. Not less than \$10k or more than \$100k.

Per NDCC 49.22.1-21 & 49-22-22, For an amendment, amount to be determined by commission to cover expenses, discuss with PUD Director.

Excess Application Fee is refundable.

This form will be docketed in the case file after funds have been deposited by PSC Accounting. 