

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.)
Wind Farm Station Service – Wishek, ND)
Public Convenience & Necessity)

Case No. PU-25-261

DECLARATION OF REBECCA A. KERN

I, Rebecca A. Kern, declare:

1. I am Vice President of Resource Planning and Rates at Basin Electric Power Cooperative (“Basin Electric” or “Basin”) and have worked at Basin Electric for approximately twenty-three years. Throughout my tenure, I have held positions involving wholesale power supply planning, resource adequacy, transmission service planning as a transmission customer, wholesale energy markets, rate design, large-load service issues, and member service matters.

2. I have personal knowledge of the matters contained in this declaration through my responsibilities at Basin Electric, my review of Basin Electric’s records maintained in the ordinary course of business, and communications with Basin Electric personnel having responsibility for the matters described below.

3. This declaration is submitted in support of KEM Electric Cooperative, Inc.’s (“KEM”) opposition to Montana-Dakota Utilities Co.’s (“MDU”) Application for Permanent Authority to provide retail electric station service to Badger Wind, LLC (“Badger Wind”) at the Wishek Substation.

4. In my current position as Vice President of Resource Planning and Rates, I am familiar with Basin Electric’s resource planning processes, generation and transmission system

capabilities, wholesale power arrangements, transmission-service planning, MISO transmission-service procedures, new-load and delivery-point processes, and the ability of Basin Electric and its member systems to serve existing and prospective electric loads.

5. Basin Electric has a longstanding wholesale power-supply relationship with KEM. Under Basin Electric's wholesale power arrangements with KEM, Basin Electric supplies wholesale electric power and energy necessary for KEM to serve its retail consumers, subject to the terms and conditions of the applicable wholesale power contract.

6. Basin Electric is also a Transmission Customer and takes transmission service on the systems of multiple Transmission Service Providers, including the Midcontinent Independent System Operator, Inc. ("MISO") and Southwest Power Pool, Inc. ("SPP"). Basin Electric routinely submits requests for transmission service and new network loads on behalf of its member systems.

7. Basin Electric has sufficient generation resources to supply the Badger Wind station-service load at issue in this proceeding. The requested station-service load is approximately 4 MW. As of the end of 2025, Basin Electric operated approximately 5,779 MW of wholesale electric generating capability and had approximately 9,035 MW of generating capacity within its resource portfolio. The transmission-study process discussed below concerns the transmission system's ability to deliver Basin Electric's resources to the requested load; it does not reflect any lack of generation resources available to Basin Electric to supply that load.

8. On July 23, 2025, KEM and Badger Wind completed a New Load/Delivery Point Initiation Application Form for the Badger Wind station-service load. A copy of that application has been identified in this proceeding as **KEM3B**.

9. On July 24, 2025, Basin Electric notified KEM that Basin Electric had accepted the New Load/Delivery Point Initiation Application for the Badger Wind Farm and assigned the application Basin Electric queue number 2025-10. A copy of that notification has been identified as **KEM13**.

10. Basin Electric thereafter undertook the process of adding the Badger Wind station-service load as a new Network Load under Basin Electric's MISO Network Integration Transmission Service arrangements. Basin's OASIS request for the load was assigned AREF No. 106855236. The OASIS request identified the load as "BADGER WIND SS," the load substation as "WISHEK," the load voltage as 230 kV, and the load as a new load of up to 4 MW at the Wishek Substation. OASIS stands for "Open Access Same-Time Information System", a web-based portal used to manage and view open access to high-voltage transmission lines.

11. Basin Electric also prepared a MISO network-load application identifying a 4 MW load at the Wishek Substation. The supporting application requested Network Integration Transmission Service for "New load – Badger Wind station service," identified "MDU transmission service – Wishek substation" as the specific local facilities needed to provide the service, and identified the MDU Wishek Substation as the Point of Delivery. Basin Electric submitted the application materials to MISO in August 2025. Those records have been identified as **KEM3C** and **KEM14**.

12. Basin's August 12, 2025 communication to MISO expressly advised MISO that the request concerned "new load at the MDU Wishek substation" and asked MISO to acknowledge receipt and advise Basin Electric of the next steps in the process.

13. On August 19, 2025, MISO asked Basin Electric whether Basin Electric intended that the new load be studied through **Module B** rather than through the **MISO Transmission Expansion Plan (“MTEP”)** process. Basin Electric thereafter communicated with both MISO and MDU regarding the appropriate process to use for this station-service load.

14. In an August 26-27, 2025 email exchange between Basin’s J.P. Maddock and MDU’s Brian Giggee, Basin Electric specifically asked which process should be used for the Badger Wind station-service load and whether Basin Electric should submit the load through both processes. Mr. Giggee responded that he believed Module B was the better option because many station-service loads associated with wind farms are not modeled in the applicable transmission models. When Mr. Maddock subsequently asked whether Module B was still the appropriate process, Mr. Giggee responded that it was the best approach and stated that including the load in MTEP did not make sense because such loads are not modeled within the model. A true and correct copy of that email chain is attached hereto as **Exhibit A**. The reference to CPEC in the email thread was in error and was intended to refer to KEM Electric Cooperative.

15. Basin Electric therefore understood that Module B was the appropriate process for the Badger Wind station-service load. The OASIS record, however, subsequently reflected a seller comment stating: “**Need verification if load has gone through the MTEP.**” The OASIS request was placed in **ANNULLED** status on August 27, 2025. True and correct copies of the OASIS records reflecting the annulment and seller comment are attached hereto as **Exhibits B and C**.

16. On September 3, 2025, MISO advised Basin Electric that if Basin Electric wanted the new load studied through Module B, Basin Electric would need to submit an ADDNITDNR request and, if there was a new SINK node for the load, an ADDSLOAD request as well. MISO

further advised Basin Electric that AREF No. 106855236 had been annulled and could not start until the System Impact Study (“SIS”) had been completed. That correspondence has been identified as **KEM15**.

17. Basin’s records also reflect that, at approximately the same time, MDU raised the separate issue of who should provide the retail station service. On September 3, 2025, J.P. Maddock advised representatives of KEM and Innovative Energy Alliance that, during a conversation with MDU on an unrelated matter, MDU stated that KEM did not have facilities for the station-service load itself and that MDU was interested in serving that load. Mr. Maddock further reported that MDU agreed that KEM should serve the Badger Wind administrative building and collector substation. This correspondence has been identified as **KEM16**.

18. Based upon Basin Electric’s experience with the MISO process and its review of these events, the original Basin Electric request did not fail because Basin Electric lacked generation resources to serve the Badger Wind station-service load. Instead, the request ceased progressing because the required transmission-planning and study process had not been completed. In particular, MISO’s OASIS record called for verification concerning MTEP, while MDU, the host Transmission Owner, had advised Basin Electric that inclusion of this type of station-service load in MTEP did not make sense and that Module B was the appropriate process.

19. MDU’s participation as the host Transmission Owner is necessary for Basin Electric to complete the applicable MISO transmission-planning and study process for a new load interconnected at MDU’s Wishek Substation. As a practical matter, Basin Electric cannot unilaterally complete all of the host-Transmission-Owner portions of that process.

20. The MISO Tariff expressly addresses the addition of new Network Load. Section 31.2 provides that the designation of new Network Load must be made through a modification of service pursuant to a new application submitted through the Transmission Provider's OASIS. Section 31.5 further requires requested changes in Network Integration Transmission Service, including the designation of a new Network Load, to be treated in a nondiscriminatory manner.

21. The MISO Tariff also establishes procedures for a System Impact Study. Section 32.1 provides that, after receiving a request for service, the Transmission Provider or applicable transmission entity determines on a nondiscriminatory basis whether a System Impact Study is necessary. If one is necessary, the applicable study process is initiated. Section 32.3 provides for completion of the System Impact Study with due diligence and further provides that the same due diligence is to be used for an Eligible Customer as is used when completing studies for Transmission Owners or other transmission participants.

22. The purpose of the System Impact Study is to determine whether the transmission system can accommodate the requested transmission service and to identify any transmission constraints, Direct Assignment Facilities, or Network Upgrades that may be required. That study requirement is separate from Basin Electric's ability to furnish the generation resources necessary to supply the load.

23. In this instance, MDU is already providing the Badger Wind station-service load over the existing Wishek Substation facilities. That fact demonstrates that the load is presently being physically served through those facilities. Basin Electric nevertheless recognizes that, if KEM is authorized to provide the retail service, Basin Electric must complete the formal MISO process applicable to the use of Basin's network resources to serve the load.

24. Because AREF No. 106855236 was annulled, a new OASIS application will be required to advance Basin's request. Basin Electric is prepared to submit the necessary new OASIS application and proceed through the applicable MISO procedures on behalf of KEM if KEM is authorized to provide the retail station service.

25. MDU's cooperation as the host Transmission Owner will remain necessary for Basin Electric to obtain the required MISO approvals and complete the applicable transmission-planning, study, coordination, and implementation steps associated with delivery of Basin's resources to the Badger Wind load at the MDU Wishek Substation.

26. In Basin Electric's experience, it is not unusual for a rural electric cooperative in North Dakota to provide retail electric service to station-service or other loads associated with wind-generation facilities even though the electric power is delivered over transmission facilities owned by another transmission owner. Basin Electric has experience with such arrangements involving, among others, transmission facilities associated with Otter Tail Power Company and Minnkota Power Cooperative.

27. Accordingly, the fact that MDU owns the Wishek Substation does not, from a transmission-service perspective, prevent Basin Electric from supplying the power necessary for KEM to serve the Badger Wind station-service load. If KEM is authorized to provide the retail service, Basin Electric is able and prepared to work through the required MISO process and with MDU as the host Transmission Owner to establish the transmission arrangements necessary to serve that load.

28. Based on my review of the facilities identified by MDU, the Wishek Substation identified to serve the Badger Wind Farm, is subject to the MISO Open Access Transmission

Tariff (“OATT”), originally established by the Federal Energy Regulatory Commission (“FERC”). The MISO OATT provisions require Transmission Owners to furnish others with non-discriminatory services comparable to that provided by the Transmission Owners to themselves. Basin Electric is a Transmission Customer in MISO; therefore, Basin Electric has the same opportunity to interconnect with the MISO OATT facilities as any other Transmission Customer, which would also include MDU.

29. In Basin’s experience, assuming the Transmission Owner (in this case MDU) cooperates in the MISO application and study process, a conservative estimate for how long it would take from the time Basin Electric resubmits an application to MISO until KEM would be able to begin providing station service would be three to four (3-4) months, assuming the Transmission System Impact Study (“SIS”) is completed within the tariff-mandated 60 day period, and also assuming a separate Facility Study is not required. A Facility Study is unlikely to be required in this case given MDU is already serving the load through existing infrastructure. In the event a Facility Study is also required, that could add up to an additional (60) days to complete.

30. The OASIS system does not reflect any delivery point application being submitted by MDU to MISO to serve the Badger Wind Farm load at issue, despite MDU currently serving that load.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Signed on the 12th day of October, 2026, at Bismarck, North Dakota.

By: Rebecca A Kern
Rebecca A. Kern
Vice President Resource Planning & Rates

From: Giggee, Brian <brian.giggee@mdu.com>
Sent: Wednesday, August 27, 2025 5:27 PM
To: JP Maddock
Cc: Justin Davy
Subject: External: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

I would say that would be the best way as including it in MTEP doesn't make sense since these loads are not modeled within the model.

Brian Giggee
701-222-7907
brian.giggee@mdu.com

From: JP Maddock
Sent: Wednesday, August 27, 2025 5:25 PM
To: Giggee, Brian
Cc: Justin Davy
Subject: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

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So is module B still the right way to go about this?

Thanks,

J.P. Maddock | Manager, RTO & Delivery Services
Direct: 701.557.5677 | basinelectric.com



From: Giggee, Brian <brian.giggee@mdu.com>
Sent: Wednesday, August 27, 2025 5:24 PM
To: JP Maddock <JPMaddock@bepc.com>
Cc: Justin Davy <JDavy@bepc.com>
Subject: External: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

Thanks JP this answers my question.

Brian Giggee
701-222-7907
brian.giggee@mdu.com

Exhibit A

From: JP Maddock <JPMaddock@bepc.com>

Sent: Wednesday, August 27, 2025 5:23 PM

To: Giggee, Brian <brian.giggee@mdu.com>

Cc: Justin Davy <JDavy@bepc.com>

Subject: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

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Thank you, Brian,

Power supply would come from BEPC MISO NITS Resources, but CPEC would be the distribution/retail provider. There would only be station service when the wind farm is offline, so whenever that happens there would be load that needs to be served. Does that answer your questions?

Thank you,

J.P. Maddock | Manager, RTO & Delivery Services

Direct: 701.557.5677 | [basinelectric.com](mailto:brian.giggee@mdu.com)



**BASIN ELECTRIC
POWER COOPERATIVE**

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From: Giggee, Brian <brian.giggee@mdu.com>

Sent: Wednesday, August 27, 2025 4:42 PM

To: JP Maddock <JPMaddock@bepc.com>

Subject: External: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

JP,

I am guessing the best option is the Module B since a lot these station services for wind farms aren't modeled in the models.

A couple questions if you would or can answer for me.

Is Central Power looking at serving the station service all the time for this unit or is it more for backup station service? How is Central Power planning to serve the station service?

Thanks,

Brian Giggee

701-222-7907

brian.giggee@mdu.com

From: JP Maddock <JPMaddock@bepc.com>

Sent: Tuesday, August 26, 2025 4:22 PM

To: Giggee, Brian <brian.giggee@mdu.com>; John Marhoefer <jmarhoefer@misoenergy.org>

Cc: Justin Davy <JDavy@bepc.com>

Subject: RE: [External] RE: [EXT]MISO network load application for Badger Wind SS load

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Brian and John,

Which method should we be using for this? What are the pros and cons? Should we submit to both processes?

Thank you,

J.P. Maddock | Manager, RTO & Delivery Services

Direct: 701.557.5677 | basinelectric.com



From: John Marhoefer <jmarhoefer@misoenergy.org>

Sent: Tuesday, August 26, 2025 11:29 AM

To: Justin Davy <jdavy@bepc.com>; AJ Finnell <AFinnell@misoenergy.org>

Cc: Sydney Cooper <SYeadon@misoenergy.org>; Steven Lyons <SLyons@misoenergy.org>; JP Maddock <JPMaddock@bepc.com>; Lee Keller (<lkeller@iea.coop> <lkeller@iea.coop>; Kayla Fitterer <KFitterer@bepc.com>; Darrin Landstrom <DLandstrom@misoenergy.org>; Kyle Trotter <ktrotter@misoenergy.org>; Andy Witmeier <awitmeier@misoenergy.org>; *Transmission Settlements <TransmissionSettlements@misoenergy.org>

Subject: [External] RE: [EXT]MISO network load application for Badger Wind SS load

External Email - Use caution clicking links or opening attachments

Justin,

Good morning. Can you provide an update here. The request you submitted had a 7/1/25 start date. Thank you.

John Marhoefer

Lead Generation and Interchange

Office: 317-249-5306

Email: jmarhoefer@misoenergy.org



From: John Marhoefer

Sent: Tuesday, August 19, 2025 1:11 PM

To: Justin Davy <JDavy@bepc.com>; AJ Finnell <AFinnell@misoenergy.org>

Cc: Sydney Cooper <SYeadon@misoenergy.org>; Steven Lyons <SLyons@misoenergy.org>; JP Maddock

<JPMaddock@bepc.com>; Lee Keller (lkeller@iea.coop) <lkeller@iea.coop>; Kayla Fitterer <KFitterer@bepc.com>; Darrin Landstrom <DLandstrom@misoenergy.org>; Kyle Trotter <ktrotter@misoenergy.org>; Andy Witmeier <awitmeier@misoenergy.org>

Subject: RE: [EXT]MISO network load application for Badger Wind SS load

Justin,

Good afternoon. Can you please provide more information on this load? Is your intention that this new load be studied via Module B instead of the MTEP? Thank you.

John Marhoefer
Lead Generation and Interchange
Office: 317-249-5306
Email: jmarhoefer@misoenergy.org



From: Justin Davy <JDavy@bepc.com>
Sent: Tuesday, August 12, 2025 2:25 PM
To: AJ Finnell <AFinnell@misoenergy.org>
Cc: Sydney Cooper <SYeadon@misoenergy.org>; Steven Lyons <SLyons@misoenergy.org>; JP Maddock <JPMaddock@bepc.com>; Lee Keller (lkeller@iea.coop) <lkeller@iea.coop>; Kayla Fitterer <KFitterer@bepc.com>; John Marhoefer <jmarhoefer@misoenergy.org>
Subject: [EXT]MISO network load application for Badger Wind SS load

Warning! This email originated from outside the organization and caution should be used when clicking on links/attachments. If you suspect this email is malicious, use the 'Phish Alert' button.

Please see attached for a new network load application. This is new load at the MDU Wishek substation. Please acknowledge receipt of the documents and what the next steps are.

If MISO requires any additional information, please free to contact us.

Thank You,

Justin Davy
Delivery Services Engineer
Basin Electric Power Cooperative
Resource Planning and Rates
1717 E Interstate Avenue | Bismarck, ND 58503
Direct: 701.557.5052 | Fax: 701.557.5301
JDavy@bepc.com | basinelectric.com



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Provider: MISO

Seller: MISO

Status: ANNULLED

Time Queued: 08/07/2025 09:01:04

Assignment Ref: 106855236

Seller Duns: 158944798

Preconfirmed: YES

Response Time Limit:

CS

Status Comments

Application Ref: 1034

Customer: BEPM

Affiliate: No

TOL: 08/27/2025 06:35:54

CS

Seller Comments

Transaction Ref:

Customer Duns: 960042380

Created By: BEPM

Modified By: MISO

Provider Comments

Load Name: BADGER WIND SS

Load Substation: WISHEK

Effective Start: 08/31/2025 00:00:00

Load Area: MISO

Load Voltage: 230

Effective Stop: 01/01/2025 00:00:00

CS

Customer Comments

POD: MDU

Load Type: FIXED

Load Description: new load up to 4 MW at Wishek substation

CS

Customer Comments

Load Area: MISO

Load Voltage: 230

Effective Stop: 01/01/2025 00:00:00

CS

Customer Comments

Load Name: BADGER WIND SS

Load Substation: WISHEK

Effective Start: 08/31/2025 00:00:00

Load Area: MISO

Load Voltage: 230

Effective Stop: 01/01/2025 00:00:00

CS

Customer Comments

POD: MDU

Load Type: FIXED

Load Description: new load up to 4 MW at Wishek substation

CS

Customer Comments

Sink: MDU.BEPC

Forecast Method: ON_OASIS

Provider Comments

Provider: MISO

Seller: MISO

Status: ANNULLED

Time Queued: 08/07/2025 10:01:04

Assignment Ref: 106855236

Seller Duns: 158944798

Preconfirmed: YES

Response Time Limit:

CD

Status Comments

Application Ref: 1034

Customer: BEPM

Affiliate: No

TOL: 08/27/2025 07:35:54

CD

Seller Comments

Transaction Ref:

Customer Duns: 960042380

Created By: BEPM

Modified By: MISO

Provider Comments

Load Name: BADGER WIND SS

Load Substation: WISHEK

Effective Start: 08/31/2025 01:00:00

Load Area: MISO

Load Voltage: 230

Effective Stop: 01/01/2050 00:00:00

CD

Customer Comments

POD: MDU

Load Type: FIXED

Load Description: new load up to 4 MW at Wishek substation

MDU.BEPC

Forecast Method: ON_OASIS