

March 16, 2026

VIA EMAIL ONLY

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

**Re: Minnkota Power Cooperative, Inc.'s Expedited Request for Approval of
Temporary Variance for Construction Activities Pursuant to N.D.C.C. § 49-22-25
Case No.: PU-26-22**

Dear Mr. Kahl:

Enclosed for filing, please find Minnkota Power Cooperative, Inc.'s Expedited Request for Approval of Temporary Variance for Construction Activities Pursuant to N.D.C.C. § 49-22-25, with accompanying exhibits A-B.

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

Regards,



Bennett L. Johnson

Enclosures

cc: Shannon Mikula, MPC
Samuel Schmitz, MPC
Robert Frank, PSC

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF MINNKOTA POWER COOPERATIVE,
INC., FOR A CERTIFICATE OF
CORRIDOR COMPATIBILITY AND
ROUTE PERMIT FOR THE AGASSIZ
TRANSMISSION LINE AND
SUBSTATION IN CASS COUNTY,
NORTH DAKOTA

CASE NO. PU-26-22

**APPLICATION OF MINNKOTA POWER COOPERTIVE, INC.
FOR APPROVAL OF TEMPORARY VARIANCE FOR CONSTRUCTION ACTIVITIES
PURSUANT TO N.D.C.C. § 49-22-25**

Pursuant to North Dakota Administrative Code N.D.C.C. § 49-22-25, Minnkota Power Cooperative, Inc. (MPC) submits this Expedited Request for Approval of Temporary Variance for Construction Activities seeking North Dakota Public Service Commission (Commission) approval for MPC to complete site preparation activities, including substation site grading and installation of temporary matting along applicable rights-of-way in anticipation for the construction of the Agassiz Transmission Line and Substation Project.

I. Background

MPC is a regional wholesale electric generation and transmission cooperative organized under the laws of the State of Minnesota, headquartered at 5301 32nd Ave S, Grand Forks, North Dakota. Formed in 1940, MPC provides wholesale electric energy to 11 member-owner distribution cooperatives located in eastern North Dakota and northwestern Minnesota. These members serve nearly 153,000 consumer accounts in a 34,500 square-mile area, including many of the region's homes, farms, schools and businesses.

On January 12, 2026, MPC submitted to the Commission a Consolidated Application for a Certificate of Corridor Compatibility and Transmission Facility Route Permit (Application) and a public hearing is scheduled for April 2, 2026 in Fargo, North Dakota.

II. Description of the Project

The Agassiz Transmission Line and Substation Project (Project) consists of development of an approximately 1.74-mile double-circuit 345-kilovolt (kV) tap transmission line and associated 345/34.5-kV substation south of Harwood in Cass County, North Dakota.

The Project will be networked and serve MPC distribution cooperative-member, Cass County Electric Cooperative (CCEC). MPC is accelerating the Project in order to accommodate member interconnection requests for power supply within the CCEC load territory. Both the transmission line and substation are to be located on private land purchased by MPC.

III. Scope of Request

MPC submits this request in compliance with the provisions of N.D.C.C. ch. 49-22.

Specifically, N.D.C.C. § 49-22-25 states:

[t]he commission may approve temporary operation of facilities or a temporary variance from approved construction, operation, or maintenance of facilities upon a showing of good cause and a utility certification that the activities will have no adverse impacts upon the welfare of the citizens of this state or the environment.

MPC respectfully requests the Commission issue a temporary variance to allow MPC to complete site preparation activities, including substation site grading and installation of temporary matting along applicable rights-of-way of the proposed Project. A map of the proposed site preparation activities is attached hereto as Exhibit A.

While MPC is requesting a temporary variance for limited construction related activities to prepare the site, operation of the Project would not occur until after obtaining the necessary authorizations from the Commission following the public hearing scheduled for April 2, 2026.

IV. Demonstration of Good Cause

Good cause exists for approval of MPC's request. The limited site preparation activities identified herein are the critical first steps needed to complete the construction of the Project. The Project will be tying into MPC's existing transmission system and MPC has a scheduled outage from August 10 through September 15 on the Maple River to Bison Transmission Line to complete the tie-in. This is the last scheduled outage before the winter season, during which outages should be avoided if at all possible. In order to reach the stage of development necessary to tie in during the approved outage dates, these activities must begin in early April 2026.

V. No Adverse Impacts

In preparation for MPC's Application, MPC proposed a one-mile-wide study area, consisting of desktop assessments and resource-specific survey areas at various distances of the Project Corridor sufficient to evaluate the factors addressed under the Siting Act, N.D.C.C. ch. 49-22. The Project is primarily located in cultivated fields and previously disturbed areas on property owned entirely by MPC. As detailed in the MPC's Application, no adverse impacts are anticipated, and temporarily disturbed areas will be restored for agricultural use where applicable. Accordingly, the site preparation activities outlined in this request are not expected to adversely affect the environment or citizens of North Dakota. Pursuant to N.D.C.C. § 49-22-25, a certification in support of this request is attached hereto as Exhibit B.

VI. Conclusion

For the reasons set forth herein, MPC respectfully requests the Commission grant this Expediated Request for Approval of Temporary Variance for Construction Activities at or before the public hearing scheduled for April 2, 2026, or as soon as practicable thereafter in order to ensure MPC can meet the scheduled outage of the Maple River-Bison Transmission Line.

Dated this 16th day of March, 2026.

VOGEL LAW FIRM

s/ Bennett L. Johnson

BY: Bennett L. Johnson (#08922)

US Bank Building

200 North 3rd Street, Suite 201

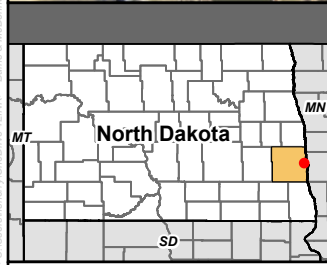
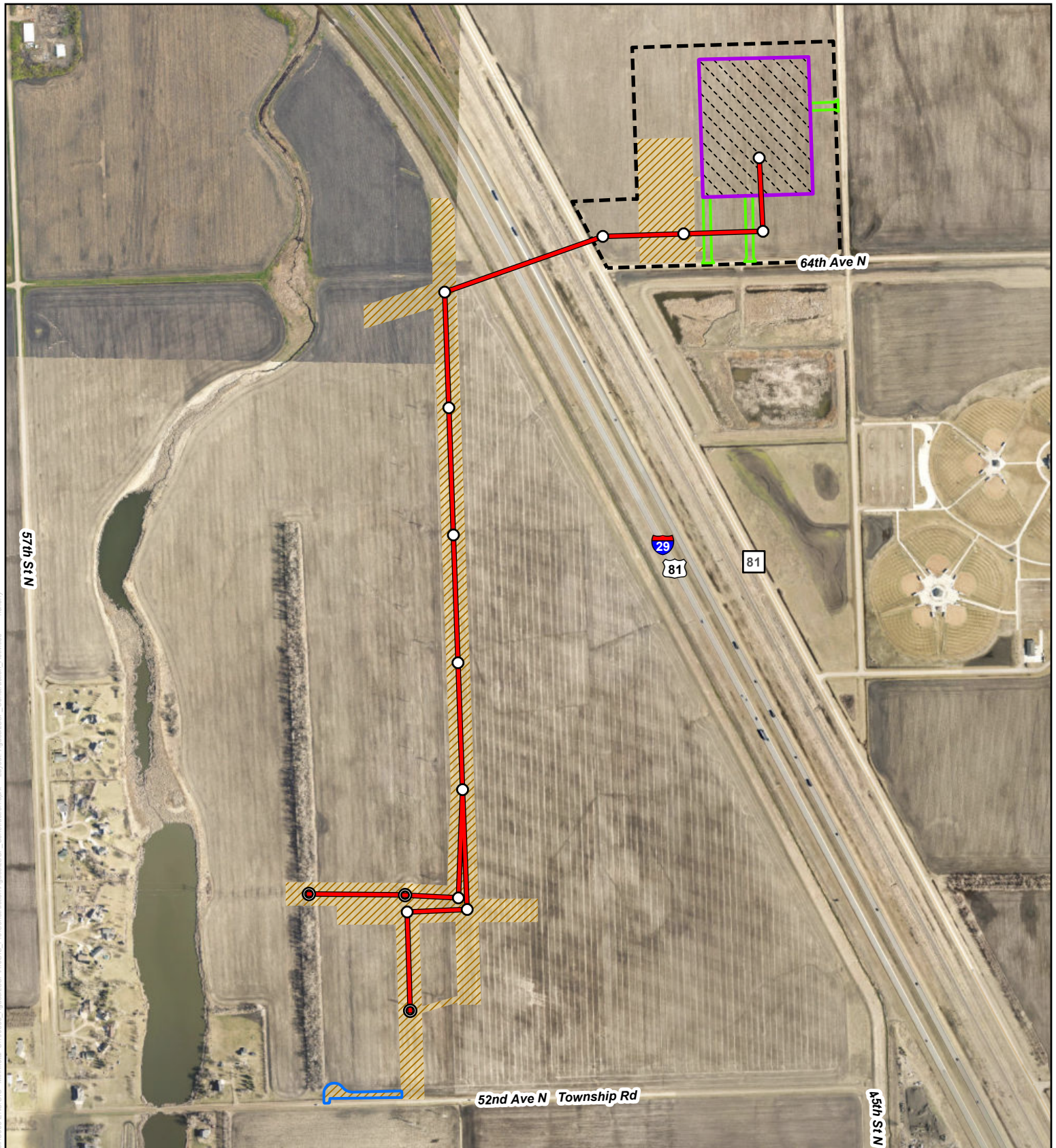
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Attorney for Minnkota Power Cooperative, Inc.



- Proposed New Structure
- ⊙ Proposed Structure Replacement
- Proposed Route
- ▭ Substation Access Drive Construction
- ▭ Substation Property Boundary
- ▭ Proposed Agassiz Substation
- ▭ Temporary Off-ROW Access Road
- ▭ Site Grading
- ▭ Right-of-Way Matting

Agassiz Transmission Line & Substation Project
 Early Construction Activities
 Minnkota Power Cooperative
 Cass County, North Dakota

Scale: 1:10,000
 Date: 2/20/2026
 Data Sources:
 Burns & McDonnell,
 ESRI, HIFLD,
 NDIS Hub

N

0 500 1,000
Feet

Exhibit A

Project: \\npcc\Users\merry\OneDrive - Burns & McDonnell\00856-ENS-615-Minnkota\01190385_Agassiz\SSP\191612_Pm\Construction\Agassiz\SSP_Construction.aprx... Layout: Agassiz\SSP_Construction_Activities.mxd

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

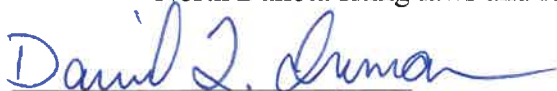
IN THE MATTER OF THE APPLICATION
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CASE NO. PU-26-22

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APPLICATION OF MINNKOTA POWER COOPERATIVE, INC.
FOR APPROVAL OF TEMPORARY VARIANCE FOR CONSTRUCTION ACTIVITIES
PURSUANT TO N.D.C.C. § 49-22-25**

I, the undersigned, being duly sworn, state as follows:

1. I am more than eighteen years of age and competent to testify as a witness. I am the Senior Vice President of Power Delivery & CITO for Minnkota Power Cooperative, Inc. (MPC), a duly authorized agent of MPC. The below information and the contents of the Request for Approval of Temporary Variance for Construction Activities are true and correct to the best of my knowledge, information, and belief.
2. This affidavit is submitted in support of MPC's accompanying Expedited Request for Approval of Temporary Variance for Construction Activities. The request was prepared under my direction and supervision and good cause exists for its approval.
3. Pursuant to N.D.C.C. § 49-22-25, for the reasons outlined in the Expedited Request for Approval of Temporary Variance for Construction Activities, the site preparation activities—as described in the request—are not anticipated to have adverse impacts upon the welfare of the citizens of North Dakota, will not affect any known exclusion or avoidance area as defined under the N.D. Administrative Code 69-06-08-02 (1) and (2), or the environment.
4. That Minnkota will comply with all applicable conditions and protections in applicable North Dakota siting laws and rules and commission orders that may apply.



Daniel L. Inman, Senior VP of Power Supply & CITO

Subscribed and sworn to before me, this 16th day of March, 2026.


Notary Public

