

**APPLICATION OF MINNKOTA POWER COOPERTIVE, INC.  
FOR APPROVAL OF TEMPORARY VARIANCE FOR ABERCROMBIE  
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 applicable rights-of-way in anticipation for the construction of the proposed Abercrombie Substation, which siting and routing application for this specific transmission facility activities will be submitted in the third quarter of 2026. However, the Abercrombie Substation is the switching station and tap into MPC's existing Frontier-Wahpeton 230-kv transmission line for a 300-MW alternating current (AC) solar energy conversion facility and associated facilities, including a 530 foot 230-kilovolt (kV) generation tie (gen-tie) line and connector substation, located in Abercrombie Township, Richland County, North Dakota, known as the Flickertail Solar Project. *See* Case PU-24-351, Docket No. 26, *Application for Certificate of Site Compatibility*; and Docket No. 42, *Findings of Fact, Conclusions of Law and Order*.

**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.

In October 2024, Flickertail Solar Project LLC (Flickertail Solar) submitted to the Commission an Application for a Certificate of Site Compatibility (Application) and a public hearing was held on March 24, 2025 in Wahpeton, North Dakota. *See* Case PU-24-351, Docket No. 26, *Application for Certificate of Site Compatibility*, and Docket No. 9, *Notice of Filing and Notice of Public Hearing*. The Commission issued a siting certificate on June 18, 2025, and later approved the First Reissued Certificate of Site Compatibility Number 70 to Otter Tail Power Company. *See*, Case No. PU-25-220.1, Docket No.17, *Order*. The Application specifically references the associated substation/switching station which MPC intends to obtain a Certificate of Corridor Compatibility and Transmission Facility Route Permit prior to commencing construction of the transmission facilities in 2027.

## **II. Description of the Project**

The proposed Abercrombie Substation would be located in the E ½ of the SE ¼, Section 10, Township 134 N, Range 49 W, approximately 3 miles NW of Galchutt, ND. The Abercrombie Substation (Project) consists of development of construction to build a new 230 kV three breaker ring bus switching station cut into the Wahpeton-Frontier 230 kV transmission line to provide a Point of Interconnect (POI) for a 300 MW Flickertail Solar Project. The existing Frontier-Wahpeton 230 kV transmission line is 317 MVA at 80°C with existing 795kcmil ACSR “Cuckoo” conductor (Wahpeton-Frontier Line). This Project requires uprating approximately 44 miles of the Wahpeton-Frontier Line, in two segments: (1) increase to 344 MVA or 85°C from the interconnection to Wahpeton, and (2) increase to 391 MVA or 96°C from the interconnection to Frontier. Turning structures will be added to route the two-line segments into the new switching station, and an overhead OPGW will replace the existing shield wire from the new interconnection switching station towards Frontier for approximately 25.50 miles.

The Project will be networked and serve the Flickertail Solar Project. MPC is requesting the variance to allow for economic and construction efficiency. By granting the variance MPC can utilize the same grading contractor as Flickertail Solar Project developer is using for the collector substation foundation to prepare the Project's substation foundation in July 2026. The Abercrombie Substation will be located on private land owned 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 substation foundation preparation activities, including substation site grading, installation of geogrid, placing fill, installing class 5 aggregate, and placing a fence around the substation foundation for 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, the transmission and substation equipment installation, and operation of the Project would not occur until after obtaining the necessary authorizations from the Commission following public hearing and issuance of a Certificate of Corridor Compatibility and Transmission Facility Route Permit.

### **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 have the Flickertail Solar Project collector substation located adjacent and will be tying into MPC's existing transmission system. The Project is being paid for by Flickertail Solar Project and gaining economic and construction efficiency should be pursued, if possible. To align with the Flickertail Solar Project's construction activity sequence and schedule. *See*, Case PU-24-351, Docket No. 26, *Application, Table 1.4*, Minnkota requires a temporary variance to coordinate the completion of substation foundation preparation activities in July 2026.

**V. No Adverse Impacts**

In preparation of Flickertail Solar Project's Application, Savion, a Shell Group portfolio company, proposed a one-mile-wide buffer, comprising 12,725 acres, around the Flickertail Solar Project Area (comprised of the solar energy conversion facility and the associated facilities, consisting of 3,464 acres). The Flickertail Solar Project Area and the one-mile buffer together is referred to as the "Study Area". The Study Area includes the 5-acre work site for the Minnkota Project. *See* Case PU-24-351, Docket No. 28, *Updated Application Figures 1-10*. The Study Area consisted 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 Flickertail Solar Project'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 prior to the filing of a Certificate of Corridor Compatibility and Transmission Facility Route Permit on or before May 2026 in order to ensure MPC can coordinate with Flickertail Solar Project's developer and proceed with the substation site preparation activities.

Dated this 16<sup>th</sup> day of April, 2026.

BY: *s/*  \_\_\_\_\_

*Attorney for Minnkota Power Cooperative, Inc.*