



400 North Fourth Street
Bismarck, ND 58501
701-222-7900
www.montana-dakota.com

July 17, 2026

North Dakota Public Service Commission
600 East Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

**RE: Application for Permanent Authority
Temporary Construction Load – APLD BIS-01 – Center, ND
Public Convenience & Necessity
Case No. PU-26-219**

Montana-Dakota Utilities Co. submits for Commission approval an original and seven (7) copies of the Company's Application for Permanent Authority and supporting Testimony to provide electric service to APLD BIS-01 for a temporary construction load at a site located in Section 24, Township 142N, Range 85W in Oliver County, near Center, North Dakota. The Company hereby notifies the Commission that one check in the amount for \$40,000 was mailed Friday, July 17, 2026, as the filing fee in the above referenced case number.

Please contact me at 701.954.9072 or tyler.culbertson@mdu.com with any questions regarding this filing.

Sincerely,

A handwritten signature in black ink that reads 'T Culbertson'.

Tyler J Culbertson
Director of Regulatory Affairs

Cc: Jeremy Fischer

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

In the Matter of the Application)
of MONTANA-DAKOTA UTILITIES CO.)
for an Order and Certificate to Provide)
Service to APLD BIS-01 for a temporary)
construction load in Oliver County)

Case No. PU-26-219

APPLICATION FOR PERMANENT AUTHORITY

MONTANA-DAKOTA UTILITIES CO. for its Application to the Public Service Commission of North Dakota, respectfully alleges:

I.

The full name of Applicant is Montana-Dakota Utilities Co., and the post office address of its principal office is 400 North Fourth Street, Bismarck, North Dakota 58501. Applicant is a public utility subject to the jurisdiction of and regulation by the Public Service Commission of North Dakota, under Title 49, N.D.C.C.

II.

This Application is made pursuant to the provisions of Chapter 49-03, N.D.C.C., as amended, and the Rules of Practice and Procedure promulgated by the Commission.

III.

Applicant has been requested by APLD BIS-01, hereinafter referred to as "Customer," to provide electric service to them for a temporary construction load located in Section 24 Township 142N, Range 85W in Oliver County, near Center, North Dakota as shown on the map attached hereto, marked Exhibit A, and made a part hereof by reference. Customer will need electric service in July 2026.

Correspondence to the Customer should be directed to:

Applied Digital
411 SE 12th St
Madison, SD 57042

IV.

The service required by Customer at said location is underground service, and the length of the extension will be approximately 20 feet, as shown by Exhibit A. The location of the proposed service is within the economic service area of Applicant and service will be provided under the provisions of the rules and regulations applicable thereto. It is Applicant's public utility obligation to furnish the requested service, and the public convenience and necessity requires, and will be served by, Applicant furnishing the requested service to this Customer at said location. The Temporary Authority Permit is attached as Exhibit B.

V.

Submitted as Exhibit C with this Application is an Appearance by Customer herein, in which Customer states to the Commission that they desires electric service from Applicant as a public utility subject to the jurisdiction of, and regulation by, this Commission. In said Appearance, Customer also waives Notice of Opportunity for Hearing and Notice of Hearing upon this Application, or a hearing thereon, and requests the Commission to issue an Order and Certificate of Public Convenience and Necessity authorizing this requested and needed service.

VI.

Underground extension of 20 feet is required.

VII.

Submitted as Exhibit D with this Application is the supporting Testimony of Larry Oswald, which is made a part hereof by reference.

WHEREFORE, Applicant requests the entry of an Order and Certificate of Public Convenience and Necessity authorizing Applicant to extend the requested and needed service to Customer.

MONTANA-DAKOTA UTILITIES CO.

By: /s/ *Travis R. Jacobson*
Travis R. Jacobson
Vice President of Regulatory Affairs



Indicates metering location within site

City Limits of Center
Approximately 3.5 Miles

MDU 345 KV
Line (Red)

Rough Rider
Transmission Line
Approximately 3 Miles

Site Location: Yellow Box
Service Extension
indicated in Blue

MDU 115 KV
Line (Green)



TEMPORARY AUTHORITY PERMIT
NORTH DAKOTA PUBLIC SERVICE COMMISSION
PUBLIC UTILITIES
SFN 50560 (6-96)

Exhibit B
PU-26-219
Page 1 of 1

PSC Case No. PU-26-219

Date 6/22/2026	Time ☐ a.m. ☐ p.m.	Name of Utility Montana-Dakota Utilities Co.	Telephone Number 701-222-7984
Name of Person Calling Jeremy Fischer		Name of Coop Serving Rough Rider Electric Cooperative	
Name of Customer APLD BIS-01 LLC		Location Sec 24 Twp 142N R 85W	
Address		County Oliver	
City		State	Zip Code
Name of Nearest City Center		Distance to the City ~3.5 Miles	
When will service be extended? July 2026		Type of Service ☐ Residence ☐ Storage ☐ Grain Bin ☒ Other Temporary Construction Load	
Extension Length to Most Economical Point of Service Utility: ~20 feet Coop: ~15,840 feet		Extension ☐ Overhead ☒ Underground	
Has customer signed request for service? ☒ Yes ☐ No		Will cooperative protest application? ☒ Yes ☐ No It's unknown if the cooperative will protest.	
Name of Person Contacted (PSC Use) Jason Bentz Co-Gen. Mgr/CEO Roughrider Electric vial email on July 10, 2026 at 8:22 a.m.		Date of Contact (PSC Use)	Time (PSC Use) ☒ a.m. ☐ p.m.
Estimated Cost of Extension \$1,281,210		Estimated Revenue ~\$275,000	
Under what rate filed with the Public Service Commission will customer be served? Rate 30			
Will extension cross over coop lines? ☐ Yes ☒ No		Will extension cross over railroad tracks? ☐ Yes ☒ No	
Temporary Authority Authorized By ☐ Telephone ☒ Letter		Date Authorized July 10, 2026	
Authorized By (Name of Commissioner) Sheri Haugen-Hoffart			

Extension must be made from most economical point of service.

Comments:

The extension will serve temporary construction power for APPLD BIS-01 LLC west of Center, ND. Because this load is temporary, Montana-Dakota intends to collect the extension cost from the customer as a CIAC. Montana-Dakota has a 115 KV line on the Southwest Corner of the property and we believe the Coop would need to extend service approximately 3 miles to the site to meet the power needs. Both Montana-Dakota and the Coop would have approximately 16,000 feet of additional primary within the site to serve all the customer's temporary construction meter locations.

Note: The cooperative will protest this request.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

Exhibit C
PU-26-219
Page 1 of 1

In the Matter of the Application of
Montana-Dakota Utilities Co.

Case No. _____

APPEARANCE BY CUSTOMER

APLD BIS-01 LLC

hereinafter referred to as "Customer", hereby makes a voluntary appearance in this matter and states the following to the Commission:

I.

That he (it) desires electric service from Montana-Dakota Utilities Co. as a public utility subject to the jurisdiction of, and regulation by, this Commission, and has requested said public utility to provide him (it) with immediate electric service at the point located as stated in the Application herein.

That customer further states that he (it) is in need of and has demanded immediate service at said location for the reasons set forth in the Application herein. Customer waives notice of opportunity for hearing and notice of hearing upon said Application, or a hearing thereon, and requests the Commission to issue an Order and Certificate of Public Convenience and Necessity authorizing this requested and needed service, and that provisions be made therein authorizing extension of immediate service.

II.

That all the allegations of the Application herein are true and correct.

WHEREFORE, the undersigned, being the Customer involved herein, prays for the entry of an Order and Certificate of Public Convenience and Necessity by the Commission, authorizing the Applicant to immediately extend the requested and needed service to Customer at said location, subject to such appropriate and proper conditions to be appended to and made a part of such Temporary Order and Certificate as the Commission may determine, said Temporary Order and Certificate to become final as may be set forth in the conditions appended thereto; and for such other and further relief as may be proper in the premises.

6/19/2026

Dated: _____

Signed by:

1FA161A6CC8D4DA...

(Customer)

MONTANA-DAKOTA UTILITIES CO.

Before the Public Service Commission of North Dakota

Case No. PU-26-219

Direct Testimony

Of

Larry Oswald

1 **Q. Please state your name and business address.**

2 A. My name is Larry Oswald, and my business address is 400 North
3 Fourth Street, Bismarck, North Dakota 58501.

4 **Q. By whom are you employed and in what capacity?**

5 A. I am the Director of Business Development & Energy Services for
6 Montana-Dakota Utilities Co. (Montana-Dakota).

7 **Q. Please describe your duties and responsibilities with Montana-**
8 **Dakota.**

9 A. I have managerial responsibility for overseeing the day-to-day
10 operations of the Company's Business Development and Energy Services
11 department, which provides the economic analysis for all new customer
12 growth projects.

13 **Q. Please outline your educational and professional background.**

14 A. I hold a Bachelor of Science degree in Energy Management, with a
15 minor in Finance from Moorhead State University. I am also a Certified
16 Energy Manager (CEM) with the Association of Energy Engineers (AEE). I
17 have worked for Montana-Dakota for twenty-seven years with the last 9

1 years managing the business development and energy services
2 department for Montana-Dakota.

3 **Q. What is the purpose of your testimony in this proceeding?**

4 A. The purpose of my testimony is to provide information and support
5 for the Company's request for approval of the Certificate of Public
6 Convenience and Necessity (CPCN) for Montana-Dakota to serve APLD
7 LLC (APLD will refer to this customer and the AI Factory in future
8 references) temporary construction power required for the construction of
9 their AI Factory complex near Center, ND. Because Roughrider
10 Cooperative has stated its intent to protest this Application, Montana-
11 Dakota is providing this testimony to help ensure the Commission has a
12 complete record upon which to base its decision.

13 **Q. How is Montana-Dakota proposing to serve the temporary
14 construction power requirements for APLD?**

15 A. Montana-Dakota has a 115 KV transmission line on the Southwest
16 Corner of the property that we will tap to provide the temporary
17 construction power for APLD. Montana-Dakota will be constructing a
18 temporary substation and approximately 16,000 feet of additional primary
19 within APLD property to serve all the customer's temporary construction
20 meter locations.

21 **Q. What are APLD power requirements?**

22 A. APLD has requested up to 8 MWs of power will be required for
23 construction and commissioning of the AI Factory.

1 **Q. Does Montana-Dakota also plan to provide electric service to APLD**
2 **AI Factory at this same location?**

3 A. Yes. Montana-Dakota has submitted a CPCN to the ND PSC in
4 Docket PU-26-236 to provide this service from our 345 kV Transmission
5 line that is located on the north side of the APLD property.

6 **Q. The Commission considers 10 factors in the determination of**
7 **granting electric service. Please provide more information on each of**
8 **the 10 factors.**

9 A. Montana-Dakota's analysis of each of the 10 factors is described
10 fully below.

11 **Factor 1: From whom does the Customer prefer electric Service?**

12 **Q. From whom does APLD prefer to receive electric service?**

13 A. I believe APLD prefers electric service from Montana-Dakota.

14 **Q. Did APLD specifically request electric service from Montana-Dakota**
15 **for temporary construction power?**

16 A. Yes, APLD did request Montana-Dakota provide electric service
17 under Rate 30 General Electric Service.

18 **Q. When did APLD make that request?**

19 A. APLD made the electric service request during their project
20 development and the Appearance by Customer form that was included in
21 Montana-Dakota's June 26, 2026, Application for a Temporary Authority
22 Permit as part of the CPCN

23 **Q. Are you aware of whether APLD made any inquiries for Roughrider**
24 **to provide service?**

25 A. No

1 **Q. Does Montana-Dakota seek to serve every customer who requests**
2 **service?**

3 A. No. Montana-Dakota evaluates the Commission's 10 factor test to
4 make a determination as to which supplier it believes is best suited to
5 provide any requested service in areas where more than one utility
6 provides retail electric service. In this instance, given APLD's temporary
7 construction power requirements and urgency to which APLD needs
8 electric service for construction Montana-Dakota determined that the
9 Commission's 10 factors weigh in favor of Montana-Dakota providing retail
10 electric service. Further, there will be no unreasonable duplication of
11 facilities should Montana-Dakota serve APLD.

12 **Factor 2: What electric suppliers are operating in the general area?**

13 **Q. Who are the electric service providers within the area of APLD?**

14 A. Both Montana-Dakota and Roughrider provide electric service in
15 the general area. Montana-Dakota's facilities include 115 kV and 345 kV
16 transmission lines on APLD property.

17 **Factor 3: What electric supply lines exist within at least a two-mile radius of**
18 **the location to be served, and when were they constructed?**

19 **Q. What Montana-Dakota electric supply lines exist within at least a**
20 **two-mile radius of the location to be served, and when were they**
21 **constructed?**

22 A. Montana-Dakota's facilities include a 115 kV transmission line on
23 the SW Corner of the APLD property and a 345 kV transmission line on
24 north side of APLD property. These lines were initially placed in service in
25 1963 and 1980, respectively. See Figure 1 for Montana-Dakota
26 transmission lines in the area.



Figure 1 – Montana-Dakota Transmission Lines near APLD

Q Does Roughrider or Basin Electric have existing supply lines within a two-mile radius?

A. Montana-Dakota believes Roughrider has distribution lines in the two-mile area, but they do not have sufficient capacity to serve a load of this size. Montana-Dakota believes Basin's closest supply line that could serve the load is a 115 KV line approximately 15,840 from APLD property.

Factor 4: What customers are served by electric suppliers within at least a two-mile radius of the location to be served?

Q. Does Montana-Dakota serve any customers within a two-mile radius?

A. No

Q. Does Roughrider serve any customers within a two-mile radius?

A. Montana-Dakota believes they do; however, Montana-Dakota believes that none of those customers are particularly large.

1 **Factor 5: What are the differences, if any, between the electric suppliers**
2 **available to serve the area with respect to reliability of service?**

3 **Q. Is there any difference in terms of reliability if Montana-Dakota or**
4 **Roughrider provides service?**

5 A. Montana-Dakota is unsure of Roughriders or Basin reliability
6 metrics in the area. Montana-Dakota has no reason to believe one
7 provider will be more reliable than the other.

8 **Factor 6: Which of the available electric suppliers will be able to serve the**
9 **location in question more economically and still earn an adequate return**

10 **Q. Are there any considerations with respect to economic service**
11 **unique to this construction power load?**

12 A. Yes. Since the service is going to be temporary, economic service
13 should be viewed by what entity needs to construct the most
14 infrastructure. Lessening the infrastructure investment for temporary load
15 means more economic service by lowering the overall cost to the
16 temporary load. As noted, Montana-Dakota does not need to construct
17 any non-direct infrastructure to serve this load since Montana-Dakota's
18 existing 115 kV line will be the location of the tap for the distribution
19 facilities that will have to be built for construction power no matter who
20 serves the load.

21 **Q. What costs will Montana-Dakota incur to provide temporary**
22 **construction power to APLD?**

23 A. Since this service is temporary construction power the customer will
24 be responsible for paying a Contribution in Aid of Construction (CIAC) for
25 100% of the cost to extend service. Therefore Montana-Dakota will have
26 no investment in providing this service to APLD. Total estimated cost to
27 APLD is \$1,281,210 plus any gross up for taxes.

28 **Q. Would APLD have additional costs if it is served by Roughrider?**

1 A. I don't know. To the extent that Roughrider needs to extend
2 service to the new CIAC facilities rather than the CIAC facilities tapping an
3 existing transmission line on the APLD property, then likely yes.

4 **Q. What costs will APLD incur if it receives service from Montana-**
5 **Dakota?**

6 A. As noted previously APLD will be required to provide a CIAC for all
7 the costs to extend service. APLD would also pay Montana-Dakota's
8 retail load rate 30 General Electric service Tariff, which is a bundled rate
9 approved by the ND PSC.

10 **Factor 7: Which supplier's extended electric service would best serve**
11 **orderly and economic development of electric service in the general area?**

12 **Q. Will the Commission granting a CPCN in this Case best serve the**
13 **orderly and economic development of the electric service in the**
14 **area?**

15 A. Yes. As I noted, Montana-Dakota has a 115 kV line on the property
16 and is capable of serving the customer's temporary construction electric
17 service requirements.

18 **Q. If Montana-Dakota request is granted, how will it impact the**
19 **development of electric service in the area?**

20 A. There will be no material impact. APLD is a unique load and this
21 request is for temporary service. Therefore, Montana-Dakota's temporary
22 service will not impact the determination as to what utility is best situated
23 to provide electric supply of future customers in the area. Both Roughrider
24 and Montana-Dakota serve the area with strong systems. As more
25 development occurs in the area, Montana-Dakota will continue to assess
26 serving any load that requests service using the Commission's 10 factor
27 test. All electric facilities to serve APLD temporary construction power will
28 be located on APLD property.

1 **Factor 8: Would approval of the application result in wasteful duplication of**
2 **investment or service?**

3 **Q. Would there be any duplication of service if the Commission grants**
4 **Montana-Dakota's CPCN request?**

5 A. No. Montana-Dakota and Roughrider would both need to extend
6 approximately 16,000 feet of distribution lines all within APLD's property to
7 serve the temporary construction power. Montana-Dakota has a 115 kV
8 line on the property and Montana-Dakota believes Roughrider would have
9 to extend lines to the APLD property.

10 **Factor 9: Is it probable that the location in question will be included within**
11 **the corporate limits of a municipality within the foreseeable future?**

12 **Q. Will this facility be within the corporate limits of any municipality in**
13 **the foreseeable future?**

14 A. Not likely.

15 **Factor 10: Will service by either of the electric suppliers in the area**
16 **unreasonably interfere with the service or system of the other?**

17 **Q. If Montana-Dakota serves APLD, will Montana-Dakota interfere with**
18 **any of Roughrider's systems in the area?**

19 A. No. As noted previously Montana-Dakota proposes to serve APLD
20 from our existing 115 KV transmission line on the SW corner of APLD
21 Property and all temporary distribution lines will be located on APLD
22 property.

23 **Q. If the CPCN is not granted, will there be any impact to the APLD?**

24 A. It is difficult to say. However, it is unclear to Montana-Dakota how
25 Roughrider would serve this load in a timely manner as not to delay APLD
26 construction activities.

27 **Q. Does this conclude your direct testimony?**

28 A. Yes, it does.