

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
Electric Service Agreement – APLD BIS-01 LLC
Approval

Case No: PU-26-235

**ROUGH RIDER ELECTRIC COOPERATIVE, INC.'S
PROTEST AND REQUEST FOR HEARING**

Roughrider Electric Cooperative, Inc. (“Roughrider”) through counsel, hereby protests and objects to the applications of Montana-Dakota Utilities Co. (“MDU”) for approval of an Electric Service Agreement with Applied Digital (d/b/a APLD BIS-01 LLC in the above-captioned matter. Concurrently with this filing, Roughrider is filing *Roughrider Electric Cooperative, Inc.’s Protest and Request for Hearing* in Consolidated Case Nos. PU-26-235 and PU-26-219 wherein MDU is requesting Permanent Authority to provide temporary construction load and electric service to the Applied Digital switch-yard pursuant to a Certificate of Public Convenience and Necessity (“Consolidated CPCN Matters”). Although Roughrider was notified of MDU’s applications in the Consolidated CPCN Matters, Roughrider was not provided notice of MDU’s application in the above-captioned matter. A denial of MDU’s applications in Consolidated CPCN Matters would moot MDU’s request for approval of the electric service agreement at issue in this matter.

Roughrider also independently objects to MDU’s *Application for Trade Secret Protection* in relation to the Electric Service Agreement with Applied Digital on file in the above-captioned matter. Redacted provisions of the Electric Service Agreement filed with the PSC are directly relevant to the PSC’s consideration of whether to grant MDU’s applications in the Consolidated CPCN Matters and to Roughrider’s ability to respond to MDU’s arguments concerning the 10

factors to be considered by the PSC in relation to MDU's requests for Permanent Authority. Examples include provisions containing rate and cost-related information to be charged to Applied Digital, as well as details pertaining to the Applied Digital's operational details which are pertinent to the electrical load needs pertinent to the Consolidated CPCN Matters. They are also subject to North Dakota's Open Records laws.

Roughrider is interested in this proceeding because the service location is within its service territory. Roughrider further requests the Public Service Commission to hold a hearing and authorize discovery in this matter pending a hearing. Some of Roughrider's reasons for requesting a hearing are outlined in the Declaration of Lee Keller, Declaration of Jeremy Severson and Declaration of Rebeca A. Kern filed in the Consolidated CPCN Matters.

Dated this 4th day of September, 2026.

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