

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Montana-Dakota Utilities Co.
APLD BIS-01-Temp Service Switch Yard – Center, ND
Public Convenience & Necessity

Case No: PU-26-236

Montana-Dakota Utilities Co.
APLD BIS-01 Temporary Construction Load-Center, ND
Public Convenience & Necessity

Case No: PU-26-219

DECLARATION OF LEE KELLER

I, Lee Keller, do declare and say:

1. I have been and am employed by Innovative Energy Alliance Cooperative, Inc. (“IEA”) since July of 2019 as an Electrical Engineer. IEA has provided engineering and other services to Roughrider Electric Cooperative, Inc. (“Roughrider”) since 2008. On average, forty to fifty percent of my time is devoted to assisting Roughrider. Roughrider is a founding member-owner of IEA. I am personally knowledgeable regarding the matters discussed in this Declaration.
2. This Declaration is submitted in support of *Roughrider Electric Cooperative, Inc’s Protest and Request for Hearing* in consolidated Case Nos. PU-26-236 and PU-26-219.
3. I have historical knowledge regarding electrical services provided in the Roughrider service area in the North Dakota counties of Oliver, Billings, Dunn, Golden Valley, Mercer Hettinger and Stark, over the years.
4. The location of the requested electric service to Applied Digital at a site located in Section 24, Township 142N, Range 85W in Oliver County, near Center, North Dakota is within the Roughrider service area. The Temporary Authority Permits presented by Montana-

Dakota Utilities Co. (“MDU”) and authorized by Commissioner Hoffart on July 10, 2026 recognize Roughrider is the cooperative serving the area at issue. (PU-26-236 at docket 5; PU-26-219 at docket 4.)

5. MDU’s Temporary Authority Permit (TAP) comments in relation to PU-26-236 indicate, in part:

The extension will serve the Data Center for APLD BIS-01 LLC west of Center, ND. Montana-Dakota has a 345 KV [sic] line along the north side of the site. Montana-Dakota will construct a 345 KV [sic] line approximately 1,000 feet to a new 345 kV switch yard within the site. Montana-Dakota anticipates for redundancy it will also be constructing approximately 15 miles of 345 kV transmission line from an additional breaker bay within Minnesota Power Nelson Lake Substation to the 345 kV switch-yard. The customer will take service out of the switch-yard. It’s unknown where Roughrider would need to extend service from to serve the customer. The attached map shows the 345 kV switch-yard which will be the point of service to the customer but does not show the 345 kV line connection to the Nelson Lake Substation that is required for redundancy.

The TAP indicates further that the distance to the City of Center to be approximately 3.5 miles.

6. MDU’s Temporary Authority Permit (TAP) comments in relation to PU-26-219 indicate, in part:

The extension will serve temporary construction power for APLD 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 [sic] 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.

7. The referenced MDU transmission lines from which electrical service is being requested are Midcontinent Independent System Operator (MISO) “open access transmission tariff” (OATT) facilities, meaning the facilities are meant to be shared to ensure fair and non-discriminatory access to the power grid by all eligible market participants. The core

principle is to prevent a utility from favoring its own power generation when using its transmission lines.

8. MDU is a member of MISO, a large, independent, federally regulated entity known as a Regional Transmission Organization (RTO) which operates its transmission system and energy markets.
9. Roughrider receives its power from Upper Missouri Power Cooperative (“Upper Missouri”), a regional wholesale transmission services provider. Upper Missouri’s wholesale generation and transmission supplier is Basin Electric Power Cooperative (“Basin”). Basin is a member of MISO.
10. The power needed for Applied Digital’s switch yard service and temporary construction power is “retail” power and is within Roughrider’s service area.
11. The cost for either MDU or Roughrider to provide the requested electrical service to Applied Digital should be roughly the same for either MDU or Roughrider and the reliability of the service provided would be the same by either MDU or Roughrider. As the MDU transmission lines referenced by MDU are MISO OATT facilities, Roughrider has the right to tap those same transmission lines. The provision of the service requested by Applied Digital will not result in any duplication of service nor unreasonably interfere with the service or system of either MDU or Roughrider.
12. The proposed delivery point is located approximately 3.5 miles to the west of the corporate limits of the municipality of Center, North Dakota. It is improbable this proposed delivery point will be included within the corporate limits of Center in the foreseeable future based upon historical population trends.
13. Roughrider has a history of providing electric service in this vicinity.

14. To my knowledge, ever since electrical service has been provided in this vicinity, all new electric service within a two-mile radius of the requested delivery point has been serviced by Roughrider or its predecessor, Oliver-Mercer Electric Cooperative, Inc. MDU did not object to or attempt to provide electrical service for these locations.
15. Roughrider has twenty-five (25) electric services within a two (2) mile radius of the requested delivery point. *See Exhibit A [2 mile radius map], attached.* MDU concedes they have no customers within a two-mile radius of the requested delivery point.
16. Roughrider has electric services located North, East, South, and West of the requested delivery point. Roughrider's electric services located to the North of the requested delivery point is located directly across North Dakota Highway 25 from the requested delivery point. *See Exhibit A [2 mile radius map], attached.*
17. Although Roughrider has the right to tap MDU's transmission lines, Roughrider also has a 3-phase 12.470/7.2 kV distribution line which runs parallel to MDU's 345 kV transmission line (i.e. Coyote Station to Center line) along the north side of the requested delivery point. *See Exhibit A [2 mile radius map], attached.*
18. Roughrider also has a 7.2 kV single-phase distribution line located to the southwest of the requested delivery point which is nearly as close to the requested switch yard delivery point as the closest point of MDU's 115 kV transmission line located to the southwest of the requested delivery point. *See Exhibit A [2 mile radius map], attached.*
19. Roughrider also has a 69 kV transmission line running east to west located one mile north of the requested delivery point, as well as a 7.2 kV single-phase distribution line running north and south located a little over one and one-half miles to the east of the requested

delivery point which has sufficient capacity to be used during the construction phase of the project. *See* Exhibit A [2 mile radius map], attached.

20. If needed, Roughrider would also have the ability to tap Basin Electric's 345 kV transmission line which runs north and south approximately nine miles to the east of the delivery point.
21. Because MDU has not disclosed the alleged network upgrades, Roughrider does not currently know which of these upgrades will have their costs directly allocated to Applied Digital and which will be tariff upgrades.
22. The PSC notified Roughrider of MDU's TAP requests on June 26, 2026 in relation to Case PU-26-219 (docket 2) and on June 30, 2026 in relation to Case PU-26-236 (docket 3).
23. Roughrider informed the PSC on July 10, 2026 that Roughrider would be protesting MDU's applications. (PU-26-236 at docket 4; PU-26-219 at docket 3.)
24. PSC Commissioner Hoffart authorized the TAPs on July 24, 2026. (PU-26-236 at docket 5; PU-26-219 at docket 4.)
25. Neither Applied Digital nor MDU informed Roughrider of Applied Digital's need or request for electrical service at the delivery point or otherwise inquired to Roughrider as to Roughrider's ability to provide the electrical service at issue until June 22, 2026, shortly prior to the filing of MDU's TAP requests herein. Roughrider did not receive any specifications relating to Applied Digital's need for electrical service from either Applied Digital or MDU.
26. Roughrider is ready, willing and able to work with Applied Digital to provide the requested electrical service. Due to the limited information provided by MDU in connection with its

Application, Roughrider is unable to fully analyze Applied Digital's power needs, including the timing of Applied Digital's power needs.

27. To my knowledge, MDU has not disclosed whether it has, or contemplates any ownership in the Applied Digital facility. Roughrider does not have any ownership, and does not contemplate having any ownership in the Applied Digital facility.
28. MDU does not disclose where its power for the Applied Digital facility will come from. If the power will come from the market, the cost of this large electric load would be passed on to consumers by increasing demand, possibly resulting in a higher cost to serve existing customers.
29. Roughrider takes seriously its responsibility to plan, build and operate a reliable electric system that supports economic growth while protecting the interests of existing members. Proposals involving large electric loads require careful, transparent evaluation with a focus on long-term impacts to the system and its membership.
30. Large electric loads are facilities that use significantly more electricity than typical residential or commercial consumers. Although they are not new to Roughrider's system, there has become more interest recently.
31. Roughrider considers technology based loads exceeding 25 megawatts to be a large load.
32. Roughrider works closely with our wholesale power providers, Upper Missouri and Basin, which has a large load program designed to protect existing cooperative members and accommodate responsible provision of electric energy to these technology based large loads. Under this program:

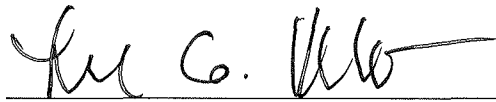
- Large-load customers are required to pay for all infrastructure needed to serve their facilities, this can include generation and transmission.
 - Costs are not shifted to Basin's current members
 - Costs are not passed on to local cooperative members
 - This ensures that new development pays its own way.
33. By requiring cost responsibility from large-load customers, Roughrider, Upper Missouri and Basin Electric ensure that:
- Current members are protected from higher rates
 - System reliability is preserved
 - Local investments remain secure
 - Rates stay fair and predictable
34. Data centers can provide several advantages for electrical cooperatives like Roughrider, including the opportunity to serve large, stable, and long-term loads that support consistent revenue growth. Their high energy demand can improve load diversity and help cooperatives better utilize existing infrastructure, spreading fixed system costs across more kilowatt-hours.
35. Roughrider's provision of the electric service at issue would also result in greater economic benefit to Oliver County and all the other counties served by Roughrider. Pursuant to N.D.C.C. § 57-33.2-03, Roughrider would collect a distribution tax of eighty cents per megawatt hour (MWH) based on the retail sale of electricity delivered to Applied Digital from this service which would be paid to the State annually. Pursuant to N.D.C.C. § 57-

33.2-19(2), the State would then distribute 50% of the distribution tax to the county in which the retail sale to which the tax applied was made, and 50% among counties based on the mileage of the distribution company's distribution lines and the rate of tax on those lines within each county.

36. Roughrider does not know how MDU would be taxed in serving this facility. MDU has not disclosed what taxes it would pay in direct relation to its service of the Applied Digital facility.

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

Signed on the 4th day of September, 2026 at Bismarck, North Dakota.

A handwritten signature in black ink, appearing to read "Lee G. Keller", written over a horizontal line.

Lee Keller, Electrical Engineer
Innovative Energy Alliance Cooperative, Inc.