

June 25, 2026

Konnar Klinksiek
Panamint Capital
917 Tahoe Boulevard, Suite 202
Incline Village, NV 89511

RE: Application Completeness Determination
Cottage Grove Battery Energy Storage Project – Site Permit Application
Docket No. ESS-26-184

Dear Mr. Klinksiek,

On June 10, 2026, LSP CG Storage, LLC (applicant) filed a site permit application with the Minnesota Public Utilities Commission (Commission) for the Cottage Grove Battery Energy Storage System (BESS) Project (project). As required by Minnesota Statute 216I.05, subd. 7, the Commission must determine whether an application is complete and advise applicants of any deficiencies within ten working days of the date an application is received.

On April 6, 2026, the applicant provided Commission Energy Infrastructure Permitting (EIP) staff with a draft of the site permit application for preapplication review as required in Minnesota Statute 216I.05, subd. 6. EIP staff responded to the applicant on May 15, 2026, with recommendations focused on completeness and clarifications that may assist the Commission's review of the application.

The Commission may accept an application as complete, reject an application, or accept an application as complete if missing information is not essential to provide adequate notice and may be obtained from the applicant prior to the initial public meeting.

Commission EIP staff have reviewed the filed application for consistency with Minnesota Statute §216I.05. Staff concludes that the site permit application filed on June 10, 2026, largely satisfies the application content requirements of Minnesota Statute §216I.05, but requests the applicant make a supplemental filing no later than July 6, 2026, that includes:

- A discussion and description of the anticipated battery augmentation for this project as a component of future expansion, including updated figures
- Additional discussion of potential contaminants within the project site, including measures to be taken in the event that contaminated soils are encountered by workers during construction of the project

Commission EIP staff have reviewed the filed application for consistency with Minnesota Statute 216I.05. Based on review of the submissions filed in this matter, Commission EIP staff have advised me, and I agree, that the site permit application submitted by the applicant is sufficiently complete in accordance with Minnesota Statute 216I.05.

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Please contact the EIP Project Manager, Jessica Livingston at jessica.livingston@state.mn.us, 651-539-1068 or Jacques Harvieux at Jacques.Harvieux@state.mn.us, 651-201-2233, if you have questions or would like to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read "Sasha Bergman", with a long horizontal flourish extending to the right.

Sasha Bergman
Executive Secretary

APPLICATION COMPLETENESS FILING REVIEW

Cottage Grove Battery Energy Storage System Project

DOCKET NO. ESS-26-184

On June 10, 2026, LSP CG Storage, LLC (applicant) filed a site permit application with the Minnesota Public Utilities Commission (Commission) for the Cottage Grove Battery Energy Storage System (BESS) Project (project). As required by Minnesota Statute §216I.05, subd. 7, the Commission must determine whether an application is complete and advise applicants of any deficiencies within ten working days of the date an application is received.

This application completeness review addresses the completeness of the filed site permit application.

Documents Attached:

- (1) Figure 1. Project Overview Map
- (2) Table 1. Application Completeness Requirements

Introduction and Background

On June 10, 2026, LSP CG Storage, LLC (applicant) filed a site permit application to construct and operate the Cottage Grove Battery Energy Storage System project, an up to 80 megawatt (MW) battery energy storage system and associated facilities in the city of Cottage Grove in Washinton County, Minnesota.¹

Project Purpose

The applicant states that the purpose of the project is to provide capacity and stability to the grid, while also providing cost-effective energy storage that can be released during times of surplus, offsetting the need for additional peak generating capacity. The applicant indicates that the project is designed to provide up to 80 MW of charging (consuming power from the grid) and discharging (contributing power to the grid) capacity for up to four hours of reliable, deliverable on-peak energy.²

Project Description

The applicant proposes to construct and operate a battery energy storage system with a nominal power rating of up to 80 MW alternating current with approximately 320 megawatt-hours of energy capacity on a site consisting of approximately 6.8 acres of industrial land together with an existing access road owned by LSP Cottage Grove Facility in the city of Cottage Grove, Washinton County, Minnesota.

¹ LSP CG Storage, LLC , *Site Permit Application and Environmental Assessment for the Cottage Grove BESS Project*, June 10, 2026, eDockets Number [20266-232726-01](#); [20266-232726-02](#) (through -18) [herein after Site Permit Application or SPA].

² SPA, p. 5

According to the applicant, the project will occupy 3.3 acres of the site. Project design includes battery storage enclosures (or containers), medium voltage skids, a substation, underground electrical collection lines, a gen-tie line, temporary areas for storage and parking, one new gravel access road, fencing, an infiltration trench and infiltration basin, a laydown yard, and other subcomponents such as inverters and transformers. The project will connect to the grid via LSP Cottage Grove L.P.'s existing LSP Cottage Grove Cogeneration Facility Substation.³

The applicant anticipates construction to begin in Q2 2027 with commercial operation in Q2 2028.⁴

Regulatory Process and Procedures

In Minnesota, no person may construct an energy storage system (ESS), defined as a facility capable of operating at a capacity of 10 MW or more⁵ without a site permit from the Commission.⁶ The proposed project will have a nominal power rating of up to 80 MW and therefore requires a site permit from the Commission.⁷ Because the project is an energy storage system, the site permit application qualifies for Commission review under the standard review process described in Minn. Stat. §216I.07.

The project does not require a certificate of need from the Commission because the project is not a large energy facility as defined in Minn. Stat. §216B.2421, subd. 2.

The 115 kV gen-tie line does not meet the definition of a high voltage transmission line, as found in Minnesota Statute Ch. 216I, therefore a route permit is not required.⁸

Site Permit Application

Site permit applications for large electric power facilities must provide information about the project such as project ownership, a description of the project and associated facilities, environmental information, and maps.⁹ **Table 1** provides a comprehensive list of information required by statute. Review under the Minnesota Statute 216I Energy Infrastructure Permitting process does not require an applicant to propose alternative sites in their permit application. However, if the applicant has evaluated and rejected alternative sites, they must describe these rejected alternatives and the reasons for rejecting them in their application.¹⁰

The Commission must determine whether an application is complete and advise the applicant of any deficiencies within ten working days of the date the application is received.¹¹ The Commission may accept an application as complete, reject an application, or accept an application as complete if unincorporated information is not essential to provide adequate notice and may be obtained from the

³ SPA, p.26

⁴ SPA, p. 1.

⁵ Minnesota Statute §216I.02, subd. 6.

⁶ Minnesota Statute 216I.05, subd. 1.

⁷ Minnesota Statute §216I.02, subd. 6.

⁸ Minnesota Statute §216I.02, subd. 8.; SPA, p. 17.

⁹ Minnesota Statute 216I.05, subd. 3.

¹⁰ Minnesota Statute 216I.05, subd. 3 (14).

¹¹ Minnesota Statute 216I.05, subd. 7.

applicant prior to the initial public meeting.¹² The permitting process begins when the Commission determines that a permit application is complete; the Commission has six months (or nine months, with just cause) from the date of this determination to reach a permit decision.¹³

The site permit application must contain an Environmental Assessment (EA) prepared by the applicant. An EA is a document which describes the potential human and environmental impacts of a proposed project and possible mitigation measures. An EA is the only state environmental review document that must be prepared for the proposed project under the standard review process.¹⁴ Minnesota Statute Chapter 216I outlines the environmental information required in the EA.¹⁵

Public Information Meeting and Comment Period

Following a determination of whether the application is complete, the Commission must hold at least one public meeting near the proposed project location to explain the permitting process, present major issues, accept public comments on the need for and scope of an addendum to the EA and respond to questions raised by the public. In practice, the Commission holds a remote access meeting in addition to the public meeting near the proposed project. Written comments must be accepted for at least 10 days after the date of the last public meeting and the Commission must accept comments on potential impacts, alternative sites to be considered, and permit conditions.¹⁶

Draft Permit and EA Addendum

Following the close of the public comment period, the Commission must prepare a draft site permit including proposed permit conditions. The draft permit does not authorize a person to construct the project.¹⁷

The Commission must also determine whether an addendum to the EA is required and, if an addendum is required, must identify the scope of the addendum.¹⁸ The Commission must prepare an addendum if the Commission identifies other sites or potential impacts for review following the public information meeting and associated comment period.¹⁹ The public may provide comments on the EA and any addendum to the EA at the public hearing and comment period required under Minnesota Statute 216I.07, subd 4.²⁰

Public Hearing

The Commission must hold a public hearing in the area where the project is proposed after a draft permit is issued, and any EA addendum if prepared.²¹ The Commission may request that an Administrative Law Judge (ALJ) from the Court of Administrative Hearings preside over the hearing. An

¹² Ibid.

¹³ Minnesota Statute 216I.07, subd. 5

¹⁴ Minnesota Statute §216I.07, subd. 3

¹⁵ Minnesota Statute §216I.05, subd. 4

¹⁶ Minnesota Statute §216I.05, subd. 9

¹⁷ Minnesota Statute §216I.05, subd. 10(1)

¹⁸ Minnesota Statute §216I.05, subd. 10(2)

¹⁹ Minnesota Statute 216I.07, subd. 3 (b)

²⁰ Minnesota Statute 216I.07, subd. 4

²¹ Minnesota Statute 216I.07, subd. 4.

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ALJ may provide a summary of public testimony or a full report with findings of fact, conclusions of law, and recommendations regarding the project.²²

Staff Review

Staff recommends the Commission find the application complete.

Application Completeness

On April 6, 2026, LSP CG Storage LLC. provided Commission staff with a draft of the site permit application for preapplication review as required in Minnesota Statute §216I.05, subd. 6. On May 15, 2026, EIP staff responded to the applicant with recommendations focused on completeness and clarifications that may assist the Commission's review of the application. The applicants summarized their responses to EIP comments in Appendix A of the filed site permit application.

Staff has reviewed the application and believes that its comments on the draft application and supporting materials were addressed in the application filed on June 10, 2026.

EIP Staff Recommendations

Staff recommends that:

- The Commission find the application substantially complete in accordance with Minnesota Statute §216I.05.
- The Commission direct the applicant to provide additional information as a supplemental filing related to items identified by EIP staff in Table 1, including an expanded discussion of future battery augmentation with potential changes to environmental impacts, and an expanded discussion of impacts from construction workers potentially encountering contaminated soils, including the identification of mitigation strategies or next steps in the case PFAS contamination is encountered.

²² Minnesota Statute 216I.07, subd. 4 (c) states the commission must conduct the public hearing under procedures established by the commission and may request that an administrative law judge from the [Court] of Administrative Hearings conduct the hearing and prepare a report.

Figure 1. Cottage Grove BESS Project – Overview Map

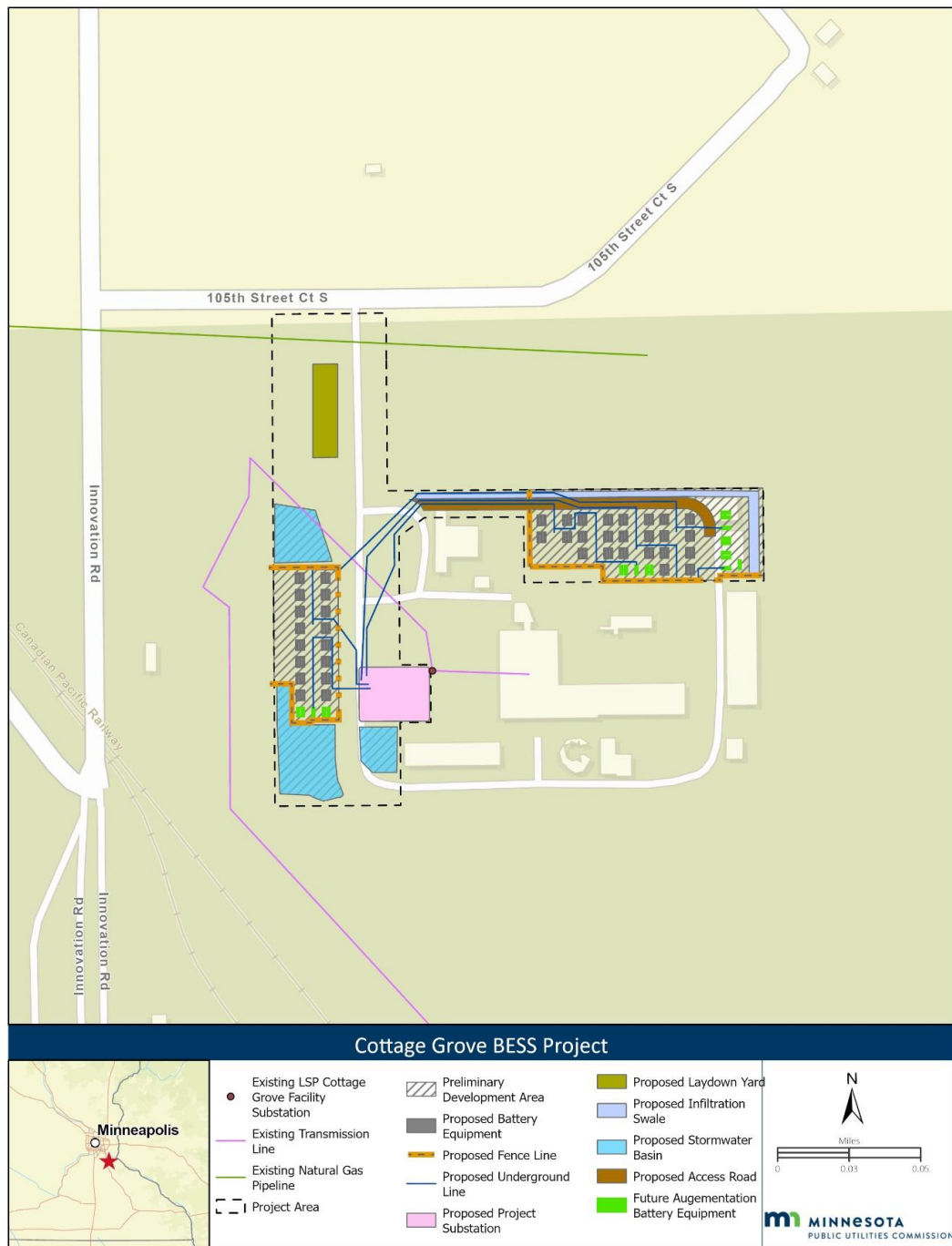


Table 1: Application Completeness Requirements

Topic	Statutory Requirement	Location in Document
Project ownership	216I.05, subd. 3(b)(1)	1.3
Meets staff expectations. LSP CG Storage, LLC will own, operate and maintain the project.		
Permittee name	216I.05, subd. 3(b)(2)	1.4
Meets staff expectations. LSP CG Storage, LLC will be the permittee.		
Project description	216I.05, subd. 3(b)(3)	1.0
Meets staff expectations. LSP CG Storage, LLC proposes to construct and operate the Cottage Grove BESS Project (Project), a battery energy storage system and associated facilities with a nominal power rating of up to 80 megawatts (MW) alternating current with approximately 320 megawatt-hours (MWh) of nameplate capacity in Cottage Grove, Washington County, Minnesota. Staff-requested information about project purpose and need has been included in the filed draft.		
Environmental Information, generally	216I.05, subd. 3(b)(4) and subd. 4(a)	Section 6
See resource-specific discussion.		
Identification of Property Owners	216I.05, subd. 3(b)(5), as described in 216I.05, subd. 8 (3)	1.6.3 Table 1.6-3 3.1
Meets staff expectations. Property owners within or adjacent to the site are included in the table and listed in the facility location and land control section.		
Maps	216I.05, subd. 3(b)(6)	Appendix B
Maps in appendix B meet staff expectations.		

Topic	Statutory Requirement	Location in Document
Existing ROWs	216I.05, subd. 3(b)(7)	6.4.8.1
Meets staff expectations. Identification of existing transmission, roadway, and pipeline ROW and discussion of potential impacts are included in this section.		
Project design, including required ancillary facilities	216I.05, subd. 3(b)(8)	3.3
Meets staff expectations. Staff's request to include consistent language for battery technology has been properly addressed.		
Project cost	216I.05, subd. 3(b)(9)	4.0
Meets staff expectations. Includes a cost analysis of the proposed large energy infrastructure facility, including the costs to construct, operate, and decommission the facility.		
Design for expansion	216I.05, subd. 3(b)(10)	3.9
Meets staff expectations. No current plans to expand the proposed project; however, in the case that this happens the applicant will seek necessary permits and permit amendments. However, staff's request to include the discussion of planned future augmentation in this section has not been fully addressed. The applicant has included a brief discussion on the addition of augmentation units in Section 3.3.2.1, as depicted in the site plan. Staff requests the applicant include a supplemental filing with an expanded discussion of future battery augmentation plans, including a description of current design and how it may interact with anticipated environmental impacts such as aesthetic, noise, or any anticipated cumulative impacts. Staff also requests that the applicant include an updated project map that includes future battery augmentation plans visibly labeled (similar to Figure 1 in this document).		
Site or ROW acquisition, construction, maintenance, & restoration	216I.05, subd. 3(b)(11)	Section 3 Construction 3.5 Restoration 3.6 Maintenance 3.7
Meets staff expectations for construction, maintenance, and restoration. A discussion of acquisition is not included, as the applicant currently owns the existing land. Staff recommended description of agreements between landowners for lease options and/or crossing agreements has been included.		

Topic	Statutory Requirement	Location in Document
Other Permits	216I.05, subd. 3(b)(12)	2.4
Meets staff expectations.		
CN Requirement	216I.05, subd. 3(b)(13)	2.3
Meets staff expectations. A certificate of need (CN) is not required for the project.		
Other sites or routes considered	216I.05, subd. 3(b)(14)	5.0
Meets staff expectations. No other sites considered.		
Additional information required by rule	216I.05, subd. 3(b)(15)	n/a
No additional information required.		
Tribal coordination	216I.05, subd. 3(b)(16)	1.6.2 Table 1.6-2 Appendix E
Meets staff expectations. The Commission's July 2025 Guidance for Successful Tribal Engagement (Tribal guidance) is on the Commission's website. Staff requested the applicant provide notification to those listed in the eDockets service lists "Tribal Government Contacts" and "Tribal Historic Preservation Officers." As discussed in the Commission's Tribal guidance, a single email or postal letter about a project does not suffice as coordination. Applicants must document that they have made reasonable efforts to coordinate with each tribe with multiple methods and attempts when a response isn't received. Staff requests the applicants reach out again to the Tribal Historic Preservation Officers for the Minnesota tribes who did not respond with a follow up email and, if that is not successful, a phone call. Staff recommendation to follow up with Tribal communities that did not respond has been addressed, and resources have been shared with Tribes that requested additional information. The applicant is encouraged to keep following up with Tribal Communities and document those instances throughout the permitting process.		

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Topic	Statutory Requirement	Location in Document
Preapplication Coordination (LGUs)	216I.05, subd. 5 (1)	1.6.1 Appendix D
Meets staff expectations. Responses received from the city of Cottage Grove, the fire department, Washington County, the FAA, the Metropolitan Council, and other local agencies. The applicant should continue coordination with LGUs regarding zoning, setbacks, screening, ROW impacts, and other requests throughout the permitting process. Provide updates to the Commission on coordination as appropriate.		
Preapplication Coordination (State Technical Resource Agencies)	216I.05, subd. 5 (3)	1.6.1 Appendix D Appendix O
Meets staff expectations. Responses received from MnDOT, SHPO, MPCA, and USACE. DNR and USFWS coordination is not included in Appendix D, but has been provided in Appendix O for Threatened and Endangered Species. Staff requests the applicants ensure the notice has been provided to the “Agency Reps” service list in eDockets. Each State Technical Resource Agency identified in this service list will determine its preapplication coordination procedures.		
Environmental setting	216I.05, subd. 4(a)(1)	6.3
Meets staff expectations.		
Human settlement, generally	216I.05, subd. 4(2)	6.4
See resource-specific discussions.		
Public health & safety including EMF	216I.05, subd. 11(b)(1) (Decision Criteria)	6.4.5
Meets staff expectations generally. Staff recommendation to include a definition of Recognized Environmental Condition (REC) and Controlled Recognized Environmental Condition (CREC) and any applicable restrictions on development has been included. The potential for construction activities to disturb contaminated substances is briefly mentioned but should be expanded. Staff requests that the applicant include an additional discussion of the potential contaminated soils within the project site, including how workers may be impacted in the event that		

Topic	Statutory Requirement	Location in Document
PFAS contaminated soils are encountered, and potential mitigation strategies to reduce worker impacts, as a supplemental filing. Discussion of EMF and Stray Voltage included in this section meets staff expectations.		
Displacement	216I.05, subd. 4(a)(2)	6.4.3
Meets staff expectations. There will be two existing buildings demolished from the site prior to construction. The applicant states that removal of these buildings will not result in displacement of residents or businesses.		
Noise	216I.05, subd. 4(a)(2)	6.4.7 Appendix L
Meets staff expectations. A Noise Impact Assessment was included as Appendix L.		
Aesthetics	216I.05, subd. 4(a)(2)	6.4.1
Meets staff expectations.		
Socioeconomic Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(b)(14)	6.4.11
Meets staff expectations.		
Environmental Justice Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(a)(3)	6.4.4
Meets staff expectations.		
Cultural Values	216I.05, bud. 4(a) (2)	6.4.2
Meets staff expectations. Staff's request to expand upon Tribal history and connections in the area has been sufficiently addressed.		

Topic	Statutory Requirement	Location in Document
Recreation	216I.05, subd. 4(a)(2)	6.4.10
Meets staff expectations. Staff's request to include coordination with snowmobile trail administrators if construction and road closures run through the winter has been addressed.		
Public Services	216I.05, subd. 4(a)(2)	6.4.6 and 6.4.8
Meets staff expectations. Information about local emergency services is provided in Section 6.5.6 and public services in Section 6.4.8. Applicant addressed the existing pipeline present within the project site, and addressed staff's request to include additional information about coordination with the pipeline owner, and identification of the ROW. In the impacts section, it is noted that the applicant has negotiated a shared facilities agreement easement with the existing pipeline corridor owner (Appendix F).		
Land Use	216I.05, subd. 11(a) (2)	6.4.9
Meets staff expectations. Staff's request for the addition of information regarding local government coordination and potential impacts to environmental resources such as the Mississippi River have been sufficiently addressed.		
Land-based economics, generally	216I.05, subd. 4(a)(3)	6.5
Meets staff expectations. No impacts to agriculture, forestry, mining, or tourism anticipated.		
Agriculture	216I.05, subd. 4(3); 216I.05, subd. 11(b)(5) and (9); see also Minn. R. 7850.4400, subp. 4.	6.5.1
See above		
Forestry	216I.05, subd. 4(3)	6.5.2
See above		
Mining	216I.05, subd. 4(a)(3)	6.5.3
See above		

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Topic	Statutory Requirement	Location in Document
Tourism	216I.05, subd. 4(a)(3)	6.5.4
See above		
Archaeological & historic resources	216I.05, subd. 4(4)	6.6
Meets staff expectations. One eligible resource adjacent to the site; SHPO recommended an archaeological survey, applicant should clarify next steps. The applicant currently plans to prepare an Unanticipated Discoveries Plan prior to construction, which will include notifying SHPO, the Office of the State Archaeologist, and the Leech Lake Band of Ojibwe if a discovery is determined to be a significant cultural resource.		
Natural environment impacts - generally	216I.05, subd. 4(5)	6.7
See resource-specific discussions.		
Air quality	216I.05, subd. 4(a)(5)	6.7.1
Meets staff expectations. The applicant clarified that chloride-based materials will not be used for dust control.		
Geology and Groundwater	216I.05, subd. 4(a)(5); 216I.05, subd. 11(b)(1)	6.7.2
Meets staff expectations. Minimal excavation may be needed. The applicant states that if bedrock excavation is necessary, a bedrock excavation plan will be prepared and shared with Commission staff for review.		
Soils	216I.05, subd. 11(b)(1) and subd. 11(b)(5)	6.7.3
Meets staff expectations. Staff's request for additional discussion of drainage and hydrology has been addressed.		

Topic	Statutory Requirement	Location in Document
Surface waters (including stormwater, floodplains, and wetlands)	216I.05, subd. 4(5); 216I.05, subd. 11(b)(1)	6.7.4
Meets staff expectations. The applicant includes discussion of potential coordination with the USACE, MNDNR, and South Washington Watershed District to determine next steps and requirements if the incidental wetland present within the site is determined to be a wetland regulated under WCA. Preliminary Stormwater Management Report provided as Appendix G.		
Vegetation	216I.05, subd. 4(5)	6.7.5
Meets staff expectations. Vegetation goals for operating the BESS Facility include establishing stable ground cover, improving and maintaining soil health, installing perennial seed mixes, reducing erosion and runoff, and improving infiltration. Draft VMP included as Appendix H, and preliminary comments have been provided and addressed. The interagency Vegetation Management Plan Working Group (VMPWG) will review the draft VMP and provide comments in the hearing comment period and during pre-construction.		
Wildlife	216I.05, subd. 4(5)	6.7.6
Meets staff expectations generally. The project site is located within the Eastern Tallgrass Prairie BCR and includes 22 birds of conservation concern (BCC). The project is also within the Mississippi River Twin Cities Important Bird Area. Staff's recommendation to discuss fencing in more detail has been addressed. Staff notes that it is recommended to incorporate DNR's guidance when appropriate, particularly relating to recommendations included in the Natural Heritage Review letter.		
Rare and unique resources	subd. 4(8)	6.7.7 Appendix O
Meets staff expectations. The project site is within a Wildlife Action Network (WAN) area ranked as "medium." Staff's request to include additional discussion on the potential interactions with the WAN area has been addressed.		
The location of the project site has potential for various federally or state listed species to occur within or near the area. In addition, the DNR's Natural Heritage Information System review identified the Blanding's turtle, a state-listed threatened species, as having potential to be impacted by the project through direct fatalities and habitat destruction. The applicant noted that since the project site is currently fully fenced, it is unlikely that the Blanding's Turtle would be found on site and no impacts are anticipated at this time. The applicant intends to coordinate with the DNR regarding necessary mitigation strategies identified in the Natural Heritage Review and potential impacts to the Wildlife Action Network area. Staff's request for expanded discussion of protected species in this section has		

Topic	Statutory Requirement	Location in Document
been addressed. The applicant notes that additional coordination for the rusty-patched bumble bee will be completed during the permitting process if necessary. The applicant is encouraged to adhere to the DNR's recommendations to mitigate potential impacts to protected species and/or habitat throughout construction of the project, such as the Loggerhead Shrike or the Blanding's Turtle.		
Greenhouse gases	216I.05, subd. 4(6)	6.7.8 Appendix N
Meets staff expectations. GHG emissions for construction and operation included as Appendix N.		
Climate change resilience	216I.05, subd. 4(7)	6.7.9
Meets staff expectations. Staff request to include additional climate risk analysis using FEMA tools has been addressed.		
Unavoidable Impacts	216I.05, subd. 4(9)	6.8
Meets staff expectations. Impacts from construction and operation through the life of the project included.		
Irretrievable and Irreversible Impacts	216I.05, subd. 11(b)(11)	6.9
Meets staff expectations.		
Cumulative Potential Effects	216I.05, subd. 11(a)(2) and (b)(2)	6.10
The Commission is charged with evaluating the potential human and environmental impacts of sites and routes including impacts related to possible future development or expansion in the project area. Staff interprets this charge to be an evaluation of cumulative potential effects associated with the Project. The projects listed in this section meets staff expectations. The applicant reviewed local government resources, state agency websites, the EQB website, and the MISO generator interconnection queue to identify current and foreseeable future projects. Staff's recommendation for the applicant to include a discussion of the listed reasonably foreseeable projects in the vicinity and the potential interactions from project construction has been addressed.		

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Topic	Statutory Requirement	Location in Document
Mitigation Measures	216I.05, subd. 4(10)	Section 6
Mitigation generally discussed for each section, and has been expanded to include standard permit conditions as requested by staff.		