

Staff Briefing Papers

Meeting Date	November 6, 2025	Agenda Item *6
Company	Basin Electric Power Cooperative (Basin Electric or the Cooperative)	
Docket No.	ET6125/RP-25-266	
	In the Matter of Basin Electric Power Cooperative's Optional Integrated Resource Plan	
Issues	Should the Commission grant Basin Electric's request to extend its IRP filing date until October 1, 2027?	
	If the Commission grants the Cooperative's request, should the Commission require an interim filing?	
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✓ Relevant Documents	Date
Basin Electric, Updated Notice of Changed Circumstance and Request for an Extension	July 3, 2025
L&O Power Cooperative, Comments	August 12, 2025
Wright-Hennepin Cooperative Electric Association, Comments	August 12, 2025
Department of Commerce, Comments	August 14, 2025
Crow Wing Power, Comments	August 15, 2025
Basin Electric, Reply Comments	August 26, 2025

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

STATEMENT OF THE ISSUES

1. Should the Commission grant Basin Electric's request to extend its IRP filing date until October 1, 2027?
2. If the Commission grants the Cooperative's request, should the Commission require an interim filing?

SUMMARY

On June 26, 2025, Basin Electric Power Cooperative (Basin Electric or the Cooperative) submitted its 2025 Optional Integrated Resource Plan (O-IRP) and a Notice of Changed Circumstances with a request to extend the filing date for its next resource plan (Request).

On July 3, 2025, Basin Electric submitted a revised Request with updated information and other minor changes to be used in place of the June 26, 2025, Request.

By way of background, in 2008, Basin Electric filed its first IRP under Minn. Stat. § 216B.2422, subd. 2. In 2012, Minn. Stat. § 216B.2422 was amended by establishing an optional IRP for certain cooperatives. Historically, Basin Electric and Dairyland Power Cooperative have been the only two utilities to qualify for filing an O-IRP, and they have done so annually since that time.

The qualifying factor for filing an O-IRP, as defined in Subdivision 2b, is that a cooperative "has at least 80 percent of its member distribution cooperatives located outside of Minnesota and that provides less than four percent of the electricity annually sold at retail in the state of Minnesota."¹ Since 2012, Basin Electric has been below the 4% threshold; however, Basin Electric explained that it "has exceeded the four percent statutory threshold as of the year 2023,"² so the Cooperative no longer qualifies for an O-IRP and must file a full IRP.

However, the primary reason Basic Electric requests additional time to file a full IRP is that Minn. Stat. § 216B.2422 does not provide a procedural process for a cooperative to transition from an O-IRP to a full IRP. According to Basic Electric:

To require a full IRP upon Basin Electric no longer being eligible for an O-IRP would impose an excessive burden on the cooperative.³

Thus, Basic Electric requests the Commission grant a variance of Minn. R. 7843.0300, per Minn. R. 7829.3200, to modify the IRP filing date. Basin Electric's proposed process is as follows:

¹ Minn. Stat. § 216B.2422, subd. 2b.

² Basin Electric, July 3, 2025 Request, p. 4.

³ Basin Electric, July 3, 2025 Request, p. 5.

1. July 1, 2025 – File O-IRP and a Notice of Changed Circumstances and Request for an extension to submit a full IRP by October 1, 2027.
2. Fall 2025 – Commission agenda hearing on the Request and, if the Commission requests, present at a Commission Planning Meeting on Basin Electric's O-IRP.
3. July 1, 2026 – File Interim O-IRP and current Basin Electric forecasted Minnesota retail load.
4. October 1, 2027 – File full IRP.

On August 14, 2025, the Department of Commerce (Department) filed comments recommending approval of Basin Electric's Request. In addition, member cooperatives Crow Wing Power, Wright-Hennepin Cooperative, and L&O Power Cooperative submitted comments supporting Basin Electric's Request.

BASIN ELECTRIC REQUEST

I. Utility Background

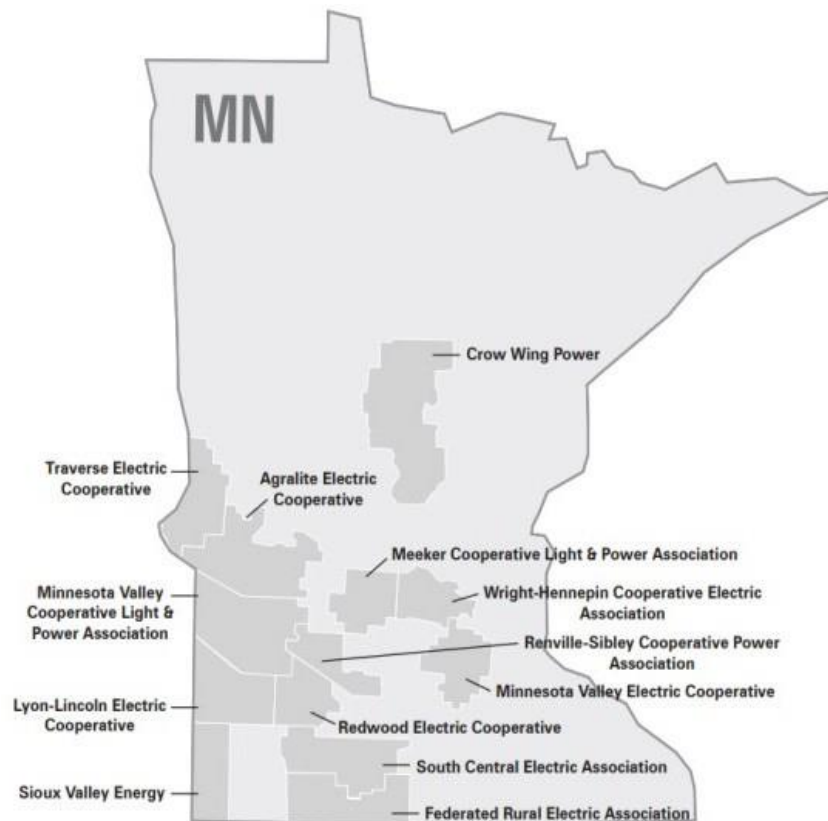
Basin Electric described its operations as follows:

Basin Electric Power Cooperative (Basin Electric) is a regional rural electric wholesale power supplier headquartered in Bismarck, North Dakota. As of June 2025, the region served by Basin Electric and its 139 member cooperatives includes all or portions of nine states: Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Minnesota, Iowa and New Mexico. Basin Electric owns and operates or otherwise jointly shares energy conversion and transmission facilities throughout this region. Of Basin Electric's cooperative members, thirteen deliver power within the state of Minnesota, and only twelve (9%) are headquartered in Minnesota.⁴

Figure 1 below shows the Minnesota distribution member cooperatives Basin Electric serves:

⁴ Basin Electric, July 3, 2025 Request, p. 1.

Figure 1. Map of Basin Electric's Minnesota Service Territory



II. O-IRP Statute

In 2012, the Minnesota Legislature enacted 2012 Minn. Session Law Ch. 268 (SF 2098), which amended Minn. Stat. § 216B.2422 by adding Subdivision 2b, establishing an O-IRP for certain cooperatives. Subdivision 2b provides:

Optional integrated resource plan compliance for certain cooperatives. For the purposes of this subdivision, a “cooperative” means a generating and transmission cooperative electric association that has at least 80 percent of its member distribution cooperatives located outside of Minnesota and that provides less than four percent of the electricity annually sold at retail in the state of Minnesota. A cooperative may, in lieu of filing a resource plan under subdivision 2, elect to file a report to the commission under this subdivision. The report must include projected demand levels for the next 15 years and generation resources to meet any projected generation deficiencies. To supply the information required in a report under this subdivision, a cooperative may use reports submitted under section 216C.17, subdivision 2, reports to regional reliability organizations, or similar reports submitted to other state utility commissions.

In 2012, Basin Electric was a cooperative as defined in Subdivision 2b and provided less than 4%

of its electricity annually sold at retail in Minnesota. Basin Electric filed its first O-IRP on June 29, 2012, and has submitted O-IRPs annually since that time.

Basin Electric stated in its 2024 O-IRP that the Cooperative's 2022 sales to its Minnesota members were below the 4% threshold:

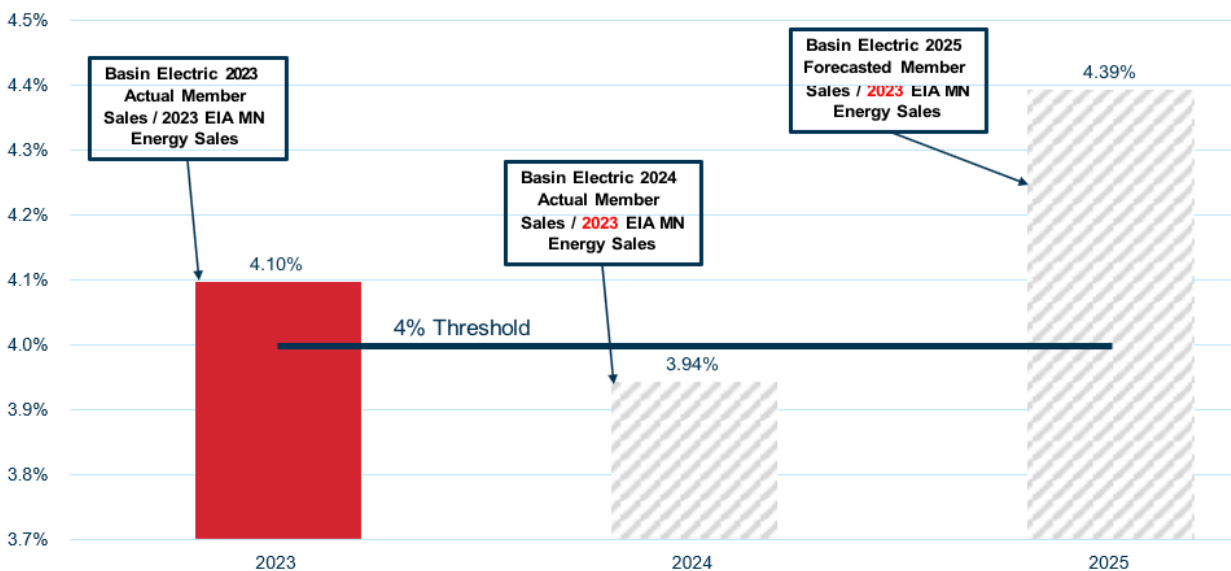
According to EIA's State Electricity Profiles, Minnesota retail sales totaled 66,635,430 MWh in 2022. Basin Electric's 2022 sales to its Minnesota members totaled 2,559,337 MWh, which represents 3.84% of the annual electricity sold at retail in the state of Minnesota.⁵

However, Basin Electric stated in its 2025 O-IRP that its 2023 sales were above the 4% threshold:

Basin Electric's 2023 sales to its Minnesota members totaled 2,713,779 MWh, and EIA reported Minnesota's retail sales for 2023 were 66,215,800 MWh. This resulted in a sales percentage of 4.10%, putting Basin Electric over the 4% threshold.⁶

Figure 2 shows Basin Electric's actual sales for 2023 and 2024 and its forecasted sales for 2025. As noted above, Basin Electric has exceeded the 4% statutory threshold since 2023.

Figure 2. Basin Electric MN Member Energy Sales divided by Total MN Energy Sales



⁵ Basin Electric, July 3, 2025 Request, pp. 3-4.

⁶ Basin Electric, July 3, 2025 Request, p. 4.

III. Notice of Changed Circumstances

Basin Electric requests the Commission approve its proposed process, culminating in filing a full IRP on October 1, 2027, for the following reasons:

- Significant staff time will be required to develop a full IRP.
- Retail electric load has fluctuated around the 4% threshold.
- Numerous law and policy changes at the federal level must be incorporated.
- Basin Electric is currently adding new generation and transmission that can be incorporated in a later IRP filing.
- Additional time will allow Basin Electric to conduct IRP-specific stakeholder outreach.

To explain further, Basin Electric has not filed a full IRP since 2008, and the Cooperative “will need significant staff time to develop a full IRP in accordance with the Commission’s IRP rules and other Minnesota statutory compliance requirements,”⁷ which will include modeling that aligns with the requirements for Minnesota cooperatives.

Additionally, Basin Electric’s Minnesota retail electric load has fluctuated around the 4% Minnesota retail sales threshold as set in Subdivision 2b. If, for instance, the overall state of Minnesota sees significant load growth in the near term (that is, the denominator of Basin Electric’s Minnesota member energy sales divided by total Minnesota energy sales), Basin Electric may fall below the 4% threshold, and Basin Electric might not be required to submit a full IRP. Basin Electric’s July 1, 2026, O-IRP will include an updated Minnesota retail sales projection.

Also, Basin Electric is currently adding new generation and transmission assets to its fleet and conducting Requests for Proposals (RFPs) to add new resources to meet significant load growth. Basin Electric believes additional time will help incorporate new generation resources.

Finally, Basin Electric intends to conduct IRP-specific stakeholder outreach with its member cooperatives and the communities they serve. Basin Electric stated that, while the Cooperative does ongoing outreach with all of its member cooperatives, it has not done so as part of the O-IRP process. Additional time will allow the Cooperative to coordinate stakeholder outreach in conjunction with submitting a full IRP.

IV. Variance of Minn. R. 7843.0300

Basin Electric requests a variance of Minn. R. 7843.0300, per Minn. R. 7829.3200, to modify the

⁷ Basin Electric, July 3, 2025, p. 7.

IRP filing date. Subpart 1 of Minn. R. 7829.3200 states that the Commission shall grant a variance to its rules if it determines that the following requirements are met:

- A. enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule;
- B. granting the variance would not adversely affect the public interest; and
- C. granting the variance would not conflict with standards imposed by law.

Basin Electric argued that these three requirements are met for the following reasons:

First, under Basin Electric's proposed procedural path, the Cooperative will file a full IRP by October 1, 2027 with interim filings. The full IRP will include, as Basin Electric described, "robust modeling that aligns with a full IRP for a cooperative under Minn. Stat. § 216B.2422, subd. 2(b)."⁸ This, along with IRP stakeholder outreach and other reasons discussed above, Basin Electric believes a full IRP in July 2026 would impose an excessive burden on the Cooperative.

Second, Basin Electric argued that granting a variance would not adversely affect the public because the Cooperative's IRPs will continue to be advisory, and Basin Electric has filed a 2025 O-IRP that provides the Commission with information it has received since the enactment of the O-IRP statute in 2012.

Finally, Basin Electric argued that the variance would not conflict with standards imposed by law because IRP filing dates are a Commission rule that have typically been set in Commission IRP orders.

PARTY COMMENTS

I. Department Comments

The Department provided background information on the statutory criteria for filing an O-IRP and a full IRP and summarized Basin Electric's procedural request. The Department's comments list then analyze each of Basin's stated justifications for a variance to modify the IRP filing date.

The Department summarized its recommendation as follows:

The Department agrees with Basin that requiring the immediate filing of a full IRP is not feasible and also that the criteria for granting a variance to Minn. Rules 7843.0300 have been met.

The Department recommends that the Commission approve Basin's proposed

⁸ Basin Electric, July 3, 2025 Request, p. 7.

variance and approve Basin's proposed process.⁹

II. Member Comments

Basin Electric member cooperatives Crow Wing Power, Wright-Hennepin Cooperative, and L&O Power Cooperative submitted comments supporting Basin Electric's request. Each of the member's letters included the following rationale:

It is our understanding that Basin Electric has not filed a full IRP since 2008. Now that it no longer qualifies for the optional IRP process, Basin Electric is seeking an extension until 2027 to file a comprehensive, full plan. Given the significant changes in the energy landscape since 2008, we support this request. The extension will provide both [the member utility] and Basin Electric the necessary time to address immediate priorities while thoughtfully planning for the future during this critical period of energy transition.

III. Basin Reply Comments

On August 26, 2025, Basin Electric filed brief Reply Comments. In those comments, Basin Electric reiterated its request and thanked parties for their input:

Basin Electric appreciates the supportive comments from its member cooperatives and the Department's review and recommendations. Basin Electric continues to respectfully request the Commission approve the proposed procedural path and grant an extension until October 1, 2027, to submit a full IRP.

STAFF DISCUSSION

Basin Electric's requests have not been disputed by any party, and Staff agrees with Basin Electric and the Department that the three conditions for granting a variance under Minn. R. 7829.3200 – excessive burden upon the applicant, no adverse effect on the public interest, and no conflict with standards imposed by law – have been met. Therefore, Staff believes the Commission can adopt Decision Options 1 and 2—to grant Basin Electric's request to extend the filing date for its full IRP until October 1, 2027, and require an interim, O-IRP filing on July 1, 2026, which would include an updated forecast of Minnesota retail load.

The Commission could add a decision option directing Basin Electric to explore in its full IRP certain issues or modeling scenarios (e.g., data centers, energy efficiency programs, etc.). For example, in SMMPA's recently-accepted IRP, the Commission required SMMPA "to explore in its economic modeling potential technological advancements in energy storage or grid flexibility in future IRPs."¹⁰

⁹ Department comments, p. 6.

¹⁰ Docket No. 24-356, Ordering paragraph 4, September 8, 2025.

DECISION OPTIONS

1. Find that the variance factors of Minn. R. 7829.3200 are met, and grant a variance to Minn. R. 7843.0300 to require Basin Electric to file a full IRP by October 1, 2027. (Basin Electric, Department, Member Utilities)

And

2. Require Basin Electric to file an Interim O-IRP and current Basin Electric forecasted Minnesota retail load on July 1, 2026. (Basin Electric, Department, Member Utilities)

Or

3. Deny Basin Electric's requested variance.

