

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

In the Matter of the Petition of Minnesota Power for the Acquisition of ALLETE by Canada Pension Plan Investment Board and Global Infrastructure Partners

MPUC Docket No. E015/PA-24-198

**RESPONSE TO PETITION FOR
RECONSIDERATION**

I. INTRODUCTION

Minnesota Power (or the “Company”), Global Infrastructure Partners (“GIP”), and the Canada Pension Plan Investment Board (“CPP Investments”) (GIP and CPP Investments together, the “Partners”) submit this Response to CURE’s Petition for Reconsideration (“Petition”) of the Minnesota Public Utilities Commission’s (“Commission”) December 10, 2025 Order Approving Petition for Acquisition with Conditions and Establishing Other Requirements (“Acquisition Order”). In its Petition, CURE requests that the Commission “[reopen] the record and [allow] the Commission to further develop relevant testimony on the issue of Minnesota Power’s actual plans for data center development in its service territory.”¹ CURE’s Petition fails to meet the Commission’s standard for reconsideration and attempts to use the Acquisition proceeding to further explore a separate matter of interest to CURE. Therefore, CURE’s Petition should be denied.

II. RESPONSE TO CURE

A. The Standard for Reconsideration.

Petitions for reconsideration of Commission orders are governed by Minn. Stat. § 216B.27 and Minn. R. 7829.3000. Pursuant to Minn. Stat. § 216B.27, subd. 3, the Commission may reverse, change, modify, or suspend its original decision if, after rehearing, it finds its decision unlawful or unreasonable. The Commission generally reconsiders its decisions only if a petition: (1) raises new issues; (2) points to new and

¹ *In the Matter of the Petition of Minnesota Power for Acquisition of ALLETE by Canada Pension Plan Investment Board and Global Infrastructure Partners*, Docket No. E-015/PA-24-198, CURE Petition for Reconsideration at 1 (Dec. 30, 2025) (eDocket No. [202512-226363-01](#)).

relevant evidence; (3) exposes errors or ambiguities in the prior decision; or (4) otherwise persuades the Commission that it should rethink the decisions.²

B. The Petition Does Not Raise New Issues, Point to New and Relevant Evidence, Expose Errors or Ambiguities, or Otherwise Provide Any Reason to Reconsider the Acquisition Order.

CURE does not ask the Commission to revise or change any part of the Acquisition Order. In fact, the Petition expressly states that reconsideration “likely [would] not require reversing the [A]cquisition.” Instead, CURE proposes that the record of this proceeding – which has been closed for months – should be re-opened to take new evidence about data centers,³ an issue that is tangential to whether the Acquisition is consistent with the public interest and in any event already was considered by the Commission.

CURE does not contend that the Commission applied an incorrect legal standard, does not identify any ambiguity in the Acquisition Order warranting clarification, and does not identify a new issue. The Petition also does not identify any fact the Commission misunderstood, any aspect that would change the Commission’s decision, or any defect in the Commission’s public-interest analysis.⁴ The Petition does not provide any basis to reopen the Acquisition proceeding. Reconsideration is not intended to convert a completed proceeding into an open-ended additional inquiry into or speculation about an unrelated project. As such, the Petition should be denied.

C. The Statutes, Rules, and Commission Orders Governing the Company and the Acquisition Continue to Fully Protect the Company’s Customers.

Existing Commission statutes, rules, and orders ensure the Commission will fully assess data center projects, including their impacts on Minnesota Power or its customers. The Company and the Partners are very aware of and will comply with their multiple Commission obligations with respect to affiliated interest filings, rate setting, economic development, and other issues that may affect the Company’s customers. The Company and the Partners have faith that the Commission and participants in future dockets will fully examine compliance with these obligations.

At this time, however, CURE’s Petition does not pertain to a utility project; rather, it focuses on a developer’s early-stage project that would require many additional permits

² *In re Application of Minn. Power for Auth. to Increase Rates for Elec. Serv. in Minn.*, Docket No. E015/GR-16-664, ORDER GRANTING RECONSIDERATION IN PART, REVISION MARCH 12 2018 ORDER, AND OTHERWISE DENYING RECONSIDERATION PETITIONS at 2, 5 (May 29, 2018) (eDocket No. [20185-143382-01](#)).

³ Petition at 2.

⁴ “At this point the acquisition has officially closed. . . . That milestone need not be reversed in order to assure that the Commission has a complete record.” *Id.* at 5.

and approvals before materializing. Whether any data center or other large customer project proceeds is up to that potential customer. The Company is not itself a developer of data centers; rather, it provides electric service to customers that choose to locate and operate in its service territory, subject to Minnesota law and Commission oversight – including through utility service contract and affiliated interest requirements. If a data center is developed that proposes to take service from Minnesota Power, the Company will file for approval of any agreements and contracts required by the Commission.

If a data center or other economic development project reaches the stage where the Company has entered into agreements regulated by the Commission, stakeholders, customers, and the public will have the opportunity to review the project on a record in the specific docket for that project. The Company and Partners have repeatedly recognized that the Commission has the ultimate authority to approve, modify, or reject a tariff or electric service agreement and to ensure protections so that other customers are not placed at risk of stranded costs and other harms.⁵ The Company has a long history of bringing forth such agreements at the appropriate time, ensuring Commission review, and will continue to do so.

Additionally, Minnesota Power has been transparent regarding the overall potential impacts of data center development in its service territory in other dockets and meetings in front of the Commission. For example:

⁵ Minn. Stat. § 216B.1622, subd. 2; see also *In the Matter of the Petition of Minnesota Power for Acquisition of ALLETE by Canada Pension Plan Investment Board and Global Infrastructure Partners*, Docket No. E-015/PA-24-198, Acquisition Order at 20 (Dec. 10, 2025) (eDocket No. [202512-225721-01](#)) (“In addition to the commitments the Partners made throughout the negotiation process for this transaction, the Partners also discussed and reiterated the jurisdiction the Commission will continue to have over these entities after the transaction is complete. These protections are inherent in the Commission’s authority under state law, and the Commission will maintain its authority over Minnesota Power’s rates and energy resources moving forward. Nothing in this transaction weakens or overshadows the Commission’s critical authority; Minnesota Power will remain a fully regulated public utility under Minnesota law.”).

- On August 1, 2024, the Company filed its 2024 Annual Electric Utility Forecast Report in Docket No. E-999/PR-24-11 and identified the potential for data center load growth in Minnesota Power’s service territory.⁶
- On October 29, 2024, Julie Pierce – VP Strategy & Planning, presented at the Commission’s special planning meeting on data center development in Minnesota. This presentation demonstrated how the Company is preparing for potential data center development, leveraging its extensive experience in serving large power customers.⁷
- On March 3, 2025, the Company filed its 2025 Integrated Resource Plan (“IRP”) in Docket No. E015/RP-25-127 which included a growth plan to illustrate how the Company is preparing for load growth, including data centers.⁸

The Company will continue such dialogue with the Commission in the appropriate dockets and public proceedings. The Commission will have multiple opportunities to further evaluate general issues related to data centers, or specific issues related to particular data center projects if they are developed in the Company’s service territory.

CURE suggests that some additional safeguards are needed related to data centers because of the Partners. That is not the case. The additional requirements established in the Acquisition, coupled with the Commission’s extensive existing authority, ensure that the Commission will have visibility over agreements between Minnesota Power and Partner-related entities. The Commission also has the regulatory

⁶ *In the Matter of Minnesota Power’s 2024 Annual Electric Utility Forecast Report*, Docket No. E999/PR-24-11, MINNESOTA POWER’S 2024 ANNUAL ELECTRIC UTILITY FORECAST REPORT at 1, 40 (Aug. 1, 2024) (eDocket No. [20248-209199-01](#)) (“Additionally, as national and regional trends continue to identify a new landscape for energy growth, the company also included in this year’s submittal a new load growth Forecast Planning Scenario (Section VI) that takes into consideration potential growth from regional electrification efforts, data centers, and/or green steel opportunities. These are important components to monitor for the utility as it continues to prepare for the electric needs of its service area.”); *id.* (“Minnesota Power is currently seeing interest in electrification, data centers, and green steel manufacturing opportunities, and is including a scenario in this AFR for substantial load growth representative of the possible opportunities for expansion of these technologies and customers in the region. These elements will be monitored on an ongoing basis and will be updated as needed as part of the forecast outlook for this filing and associated planning processes.”).

⁷ See *Data Centers Advancing Opportunities*, J. Pierce (Oct. 29, 2024) available at: https://mn.gov/puc-stat/documents/pdf_files2/Presentation%20-%20MN%20Power%2010-29-24.pdf.

⁸ *In the Matter of Minnesota Power’s Application for Approval of its 2025-2039 Integrated Resource Plan*, Docket No. E015/RP-25-127, 2025-2029 INTEGRATED RESOURCE PLAN at 9 (March 3, 2025) (eDocket No. [20253-215986-11](#)) (“While uncertainty in customer demand outlook is inherently part of any IRP analysis, the 2025 Plan includes a future where Minnesota Power’s customer load could more than double with existing and new prospective customer operations. Indeed, the energy sector is experiencing historic levels of load growth across the nation as re-industrialization, beneficial electrification, advances in artificial intelligence (“AI”) technology, and associated data centers are prompting increased customer electricity demand. Minnesota Power recognizes that utilities must be ready to meet this moment, as the load growth the Company is anticipating will have the potential for positive economic impacts for the state, the region, and Minnesota Power customers specifically.”).

authority needed to ensure customers are protected.⁹ The Company will make all required submissions should a project arise that requires filings at the Commission and/or Commission approvals of utility actions. Thus, the Commission's existing processes provide the proper mechanisms for reviewing proposals for any economic development project in the Company's service territory, including data centers, such that the *post hoc* reopening of this Acquisition proceeding is not appropriate.

D. The Petition Does Not Identify a New Issue Relevant to Whether the Acquisition is Consistent with the Public Interest.

In addition to the above considerations, the Petition does not provide meaningful new information or raise a new issue related to whether the Acquisition is consistent with the public interest. In the Acquisition proceeding, the Commission made clear that it is closely watching potential data center projects and will, at the proper time, thoroughly evaluate any proposed data center that will purchase energy from a Minnesota regulated utility.¹⁰ Further, there was already public media attention regarding the possibility of a Hermantown data center project when the Commission deliberated on the Acquisition.¹¹ Concerns about data centers and the appropriate forum for resolving project-specific data center issues were discussed by the Commission.¹² Recognizing that the Commission speaks through its orders, these discussions reflect that the Commission was aware of data center issues and appropriate opportunities to discuss data center issues. As such, the Petition does not raise new issues or a need for reconsideration.

While CURE suggests that the Company's testimony was inconsistent,¹³ that is not the case. Minnesota Power frequently engages with developers who are considering bringing new operations to the region. CURE's Petition conflates preliminary outreach and related exchanges (which are common when any potential large customer is evaluating whether to locate in the Company's service territory) with committed plans or certainty a project will come to fruition.

⁹ Acquisition Order at 20-21 ("1. Settlement paragraphs 1.29 and 1.30, which commit the Partners to both: a. include suppliers and customers with contracted rates that are more than 5% owned by CPP, GIP, or BlackRock in its annual affiliated interests reporting; and b. certify arms-lengths negotiation of transactions over \$500,000 with such companies. 2. Settlement paragraph 1.23, which addresses ALLETE's day-to-day operations and requires ALLETE's board of directors to include a certain number of independent and Minnesota resident directors. 3. The Commission's continued oversight and jurisdiction over the Company – including the Commission's ability to review utility spending and disallow recovery in rate cases.").

¹⁰ See Commission Agenda Mtg. Tr. at 250:24-252:6 (Sep. 25, 2025).

¹¹ Dominic Vitiello, *Hermantown residents sound off on proposed data center*, NORTHERN NEWS NOW, Oct. 6, 2025, <https://www.northernnewsnow.com/2025/10/07/hermantown-residents-sound-off-proposed-data-center/> (noting that there had been no greenlight for a data center supported by a Fortune 50 company, but rather "a first step in what could be a years-long process."); *Comment open on proposed Hermantown data center environmental review*, KAXE, Sep. 23, 2025, <https://www.kaxe.org/local-news/2025-09-23/comment-open-hermantown-industrial-project-possible-data-center>.

¹² See Commission Agenda Mtg. Tr. at 38:1-39:8 (Oct. 3, 2025).

¹³ Petition at 5.

Consistent with other economic development efforts, Minnesota Power’s economic development team routinely engages with prospective customers, site selectors, local governments, and regional partners. As the local electric utility in its service territory, the Company is often the first call when an entity explores whether northern Minnesota can support a potential project. The Company’s role in that setting is straightforward: it assesses whether and how it could provide electric service if a customer ultimately locates in the region; it coordinates with local authorities and economic development partners; and it supports responsible economic development consistent with its obligation to provide electricity to any new customer siting in its service territory.

This initial, exploratory process frequently does not lead to a project that is ready to come before the Commission. There are multiple examples of economic development projects that have been proposed in northern Minnesota but not come to fruition, that morphed in scope and size over the years, or dissipated with the developer or potential customer choosing to not move forward with the project or chose to locate outside the Company’s service territory.¹⁴ Even though these projects are delayed or never built, the Company had an obligation to communicate with potential customers looking for electric service consistent with communications referenced in the Petition, and to coordinate with local officials. These actions do not equate to a fully developed project. In addition, the Company has always brought to the Commission any agreement or contract regulated by

¹⁴ See *Huber is no longer building OSB plant in Cohasset*, WDIO, Feb. 9, 2023, <https://www.wdio.com/front-page/top-stories/officials-huber-is-no-longer-building-osb-plant-in-cohasset/> (reporting that Huber Engineered Woods’ proposed \$439 million oriented strand board (“OSB”) mill in Cohasset, Minnesota, announced in June 2021, was abandoned in February 2023. Huber cited schedule and permitting delays and stated it would pursue its “sixth mill” project in another state.); *Company’s plan to revive Essar Steel taconite plant has state’s backing*, BRINGMETHENEWS, Mar. 8, 2018, <https://bringmethenews.com/minnesota-news/companys-plan-to-revive-essar-steel-taconite-plant-has-states-backing> (describing Minnesota support for new investors seeking to take over and complete the stalled, partially built Essar Steel Minnesota taconite mine in Itasca County. The \$1.9 billion project began in 2007 and experienced repeated financing delays and bankruptcy.); Aaron Brown, *Good news on the Iron Range: \$2 billion Mesabi Metallics is finally happening, for real this time*, MINNESOTA REFORMER, Oct. 14, 2024, <https://minnesotareformer.com/2024/10/14/good-news-on-the-iron-range-2-billion-mesabi-metallics-is-finally-happening-for-real-this-time/> (recounting the long-delayed project at the Essar Steel Minnesota taconite mine, including multiple ownership changes and failed revival attempts after Essar’s 2008 groundbreaking and 2017 bankruptcy.); Dan Kraker, *Twenty years after first proposed, NewRange still vying to build Minnesota’s first copper mine*, MPR NEWS, Dec. 23, 2024, <https://www.mprnews.org/story/2024/12/23/twenty-years-after-first-proposed-newrange-still-vying-to-build-minnesotas-first-copper-mine> (describing the decades-long, frequently litigated NewRange Copper Nickel Mine, a first-of-its-kind copper and nickel mining project in northeastern Minnesota, first proposed in 2005, that has remained unbuilt amid revoked and overturned permits and ongoing regulatory and legal hurdles.). These examples illustrate that large industrial customers often intend to construct projects within the Company’s service territory, but may never complete the project due to many different factors.

the Commission upon entering into such agreement with a prospective customer and will continue to do so at the appropriate time.¹⁵

III. CONCLUSION

The Commission's Order approving the Acquisition was sound, reasonable, based on the record, supported by substantial evidence, and consistent with Commission practice and state law. Therefore, the Company and the Partners respectively recommend that the Commission deny CURE's Petition.

Dated: January 9, 2026

TAFT STETTINIUS & HOLLISTER LLP

/s/ Elizabeth M. Brama

Elizabeth M. Brama (#0301747)
Kodi Jean Verhalen (#0391056)

2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
Telephone: (612) 977-8400

Attorneys for Minnesota Power

COZEN O'CONNOR

/s/ Ryan P. Barlow

Ryan P. Barlow (#0393534)
Dan Lipschultz (#0168440)
Katherine J. Marshall (#0402743)

150 South 5th Street, Suite 1200
Minneapolis, MN 55402
Telephone: (612) 877-5268

**Attorneys for Canada Pension Plan
Investment Board and Global
Infrastructure Management, LLC**

¹⁵ See *In the Matter of an Electric Service Agreement Between Minnesota Power and PolyMet Mining Corporation*, Docket No. E015/M-07-221, PETITION FOR APPROVAL OF AN ELECTRIC SERVICE AGREEMENT BETWEEN MINNESOTA POWER AND POLYMET MINING CORPORATION (Feb. 15, 2007) (eDocket No. [3789464](#)).