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July 3, 2025

VIA E-FILING

Mr. William Seuffert – Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
Saint Paul, MN 55101-2147

Re: **Basin Electric Power Cooperative's Optional Integrated Resource Plan (IRP)**
Docket No. ET6125/RP-25-266

Dear Mr. Seuffert:

On June 26, 2025, Basin Power Cooperative (Basin Electric) submitted its 2025 Optional – Integrated Resource Plan (O-IRP) and a Notice of Changed Circumstances and request for an Extension (Request) In reviewing the filed Request, the retail sales information was not updated with 2025 numbers. Please find enclosed a revised Request with updated information and other minor changes to be used in place of the June 26, 2025 Request filing (Document ID 20256-220395-01).

This notice has been e-filed through www.edocket.state.mn.us. A copy of this filing is also being served upon the persons on the Official Service List of record.

Please let me know if you have any questions regarding this filing.

Sincerely,

David R. Moeller
Direct Dial: 612.492.7422
Email: drmoeller@fredlaw.com

DRM:ML
Enclosures

STATE OF MINNESOTA
BEFORE THE
PUBLIC UTILITIES COMMISSION

Katie Sieben	Chair
Hwikwon Ham	Commissioner
Audrey Partridge	Commissioner
Joseph Sullivan	Commissioner
John Tuma	Commissioner

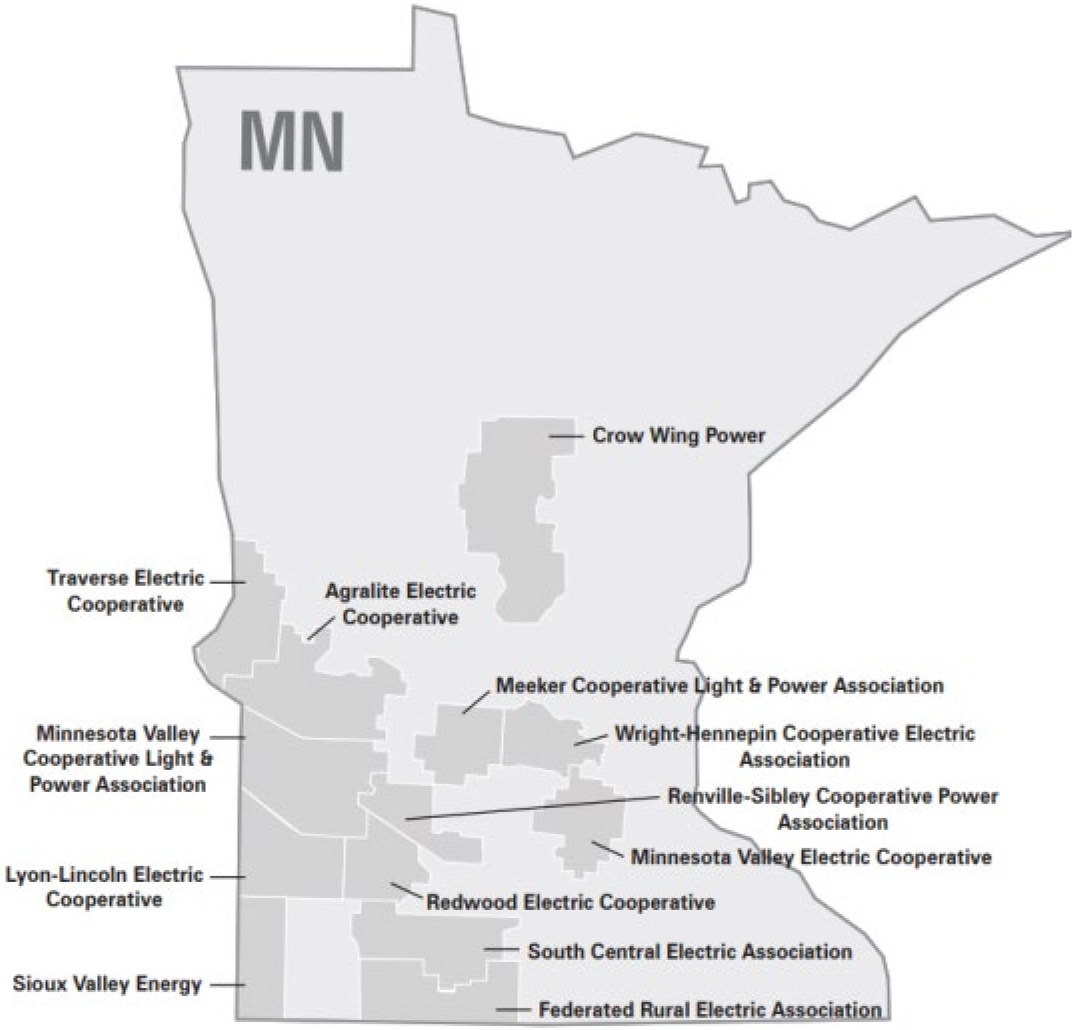
Basin Electric Power Cooperative's Optional Integrated Resource Plan (IRP)

MPUC Docket No. ET6125/RP-25-266

UPDATED NOTICE OF CHANGED CIRCUMSTANCE AND REQUEST FOR AN EXTENSION

I. INTRODUCTION AND BACKGROUND

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. Basin Electric serves all or a partial energy supply to each of the distribution member cooperatives in the figure below.



In 2008, Basin Electric submitted its first Integrated Resource Plan (IRP) under Minn. Stat. § 216B.2422, subd. 2 in Docket No. ET-6125/RP-08-846. The Minnesota Public Utilities Commission (Commission) issued an order on February 11, 2010 accepting Basin Electric's 2008 IRP and setting January 1, 2012 for submittal of its next IRP. In October 2011, Basin Electric requested an extension until January 1, 2013 to file its next IRP. The Commission granted that extension request in an order dated December 23, 2011.

In 2012, the Minnesota Legislature enacted 2012 Minn. Session Law Ch. 268 (SF 2098) amending Minn. Stat. § 216B.2422 by adding subdivision 2b establishing an Optional IRP (O-

IRP) for certain cooperatives.[1] The amendment was effective May 3, 2012 and required any pending IRPs to be completed by the cooperatives before electing to submit an O-IRP. 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. A report must be submitted annually by July 1, but the commission may extend the time if it finds the extension in the public interest. Presentation of the annual report shall be done in accordance with procedures established by the commission. Data in a report under this subdivision may be aggregate data and need not be separately reported for individual distribution cooperative members of the cooperative. The commission may take whatever action in response to a report under this subdivision that it could take with respect to a report by a cooperative under subdivision 2.

In 2012, Basin Electric was a cooperative as defined in Subdivision 2b and provided less than four percent of its electricity annually sold at retail in the state of Minnesota. Basin Electric filed its first O-IRP on June 29, 2012[2] and submitted subsequent O-IRPs annually or as directed by the Commission through 2024. As initially included in its 2024 O-IRP[3] and updated for this filing:

> 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

[1] Additional legislative history on Minn. Stat. § 216B.2422, subd. 2a was discussed in Basin Electric's 2014 O-IRP submitted on June 26, 2014 in Docket No. ET6125/RP-14-534.

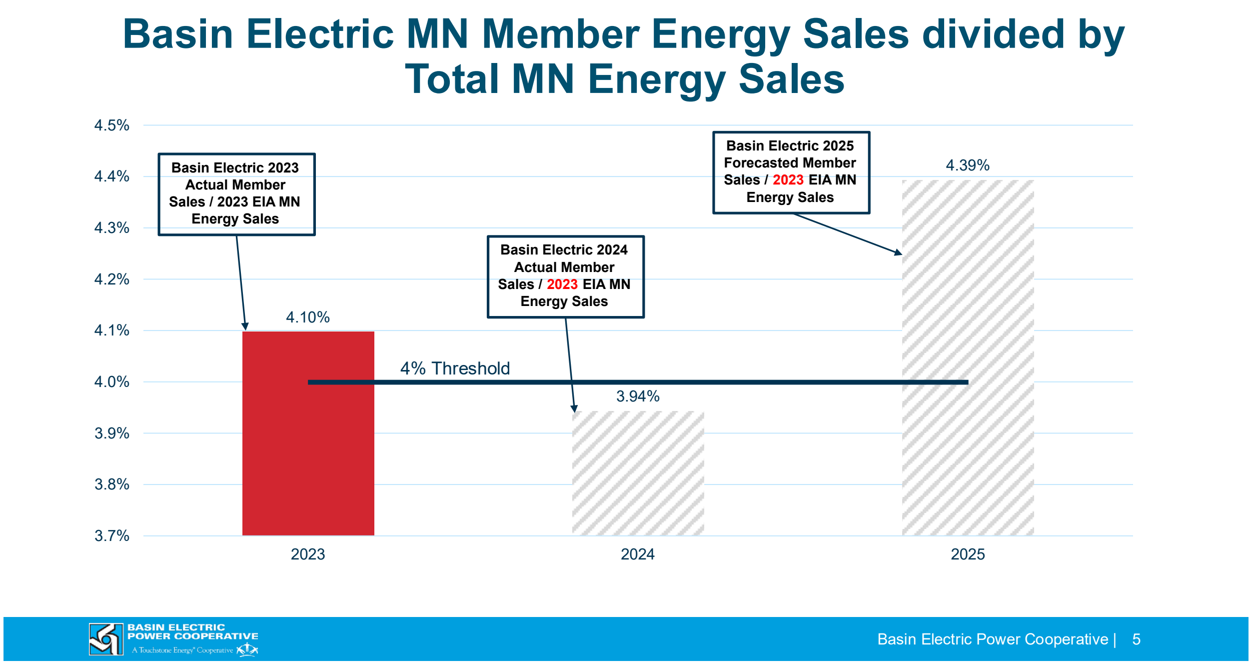
[2] Docket No. ET6125/RP-12-723.

[3] Docket No. ET6125/RP-22-311.

totaled 2,559,337 MWh which represents 3.84% of the annual electricity sold at retail in the state of Minnesota

As shown in Basin Electric's 2025 O-IRP4, 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.

Basin Electric had discussions with Commission Staff and the Department of Commerce (Department) in April and May 2025 to provide an overview of its current Minnesota retail load projections and discuss procedural paths. The graphic below provides Basin Electric's actual sales for 2023 and 2024 and its forecasted sales for 2025.[5] As noted, Basin Electric has exceeded the four percent statutory threshold as of the year 2023, for which the necessary historical data became available in late 2024. Unless there is significant load growth throughout Minnesota, Basin Electric is likely to continue to be above the four percent retail sales threshold and no longer eligible to elect to submit an O-IRP.



[4] Basin Electric's 2025 O-IRP was submitted on June 26, 2025 in Docket No. ET6125/RP-25-266.

[5] The U.S. Energy Information Administration data for 2023 annual state electricity sales was released in November 2024. See https://www.eia.gov/electricity/state

II. PROCEDURAL MATTERS

Basin Electric submits this Notice of Changed Circumstances and Request for an Extension pursuant to Minn. R. 7843.0500, subp. 5; Minn. R. 7843.0300; and Minn. R. 7829.3200. As discussed above, Basin Electric is forecasting to no longer qualify for the election under the O-IRP statute and will now be required to submit a full IRP under Minn. Stat. § 216B.2422, subd. 2 and Minn. R. 7843. Minn. Stat. § 216B.2422 does not provide a procedural process for a cooperative to transition from an O-IRP to a full IRP. Therefore, Basin Electric submits that this new requirement constitutes a changed circumstances under Minn. R. 7843.0500, supb. 5. Basin Electric requests under Minn. R. 7843.0300 and Minn. R. 7829.3200 the Commission vary its rules and grant Basin Electric an extension until October 1, 2027 to submit a full IRP on the preferred procedural path and reasons discussed in Section III below.

Basin Electric requests a variance of Minn. R. 7843.0300, per Minn. R. 7829.3200 to modify the IRP filing date requirement now that Basin Electric cannot elect to file an O-IRP. The three requirements for a rule variance under Minn. R. 7829.3200, subp. 1 are: (1) enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule; (2) granting the variance would not adversely affect the public interest; and (3) granting the variance would not conflict with standards imposed by law. These three requirements are met here. First, under the preferred path set forth in Section III, Basin Electric will file a full IRP by October 1, 2027 with interim filings. To require a full IRP upon Basin Electric no longer being eligible for an O-IRP would impose an excessive burden on the cooperative. Second, granting such a variance would not adversely affect the public as Basin Electric's IRP will continue to be advisory under Minn. Stat. § 216B.2422, subd. 2(b). Also, in conjunction with this request, Basin Electric is submitting its 2025 O-IRP that provides similar information to what the Commission has received since the enactment of the O-IRP statute in 2012. Finally, the variance would not conflict with standards imposed by law as the IRP filing due dates are a Commission rule and have typically been set in Commission IRP orders.[6]

[6] *See In the Matter of Basin Electric Power Cooperative's 2008 Resource Plan for the Years 2006-2021*, Docket No. ET6125/RP-08-846, Order dated February 11, 2010 at 7 ("The resource planning statute does not specify how often resource plans should be filed, leaving that to Commission

As required under Minn. R. 7843.0500, subp. 5, Basin Electric will serve this request on parties to its last resource plan proceeding filed under Minn. Stat. § 216B.2422, subd. 2b and the service list in Docket No. ET6125/RP-22-311. For the service list, please include the following individuals:

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III. NOTICE OF CHANGED CIRCUMSTANCES AND REQUEST FOR EXTENSION

Basin Electric submits this notification of changed circumstances to the Commission as required by Minn. R. 7843.0500, subp. 5 based on its forecasted Minnesota retail electric load exceeding four percent of Minnesota retail sales in 2025 and no longer being eligible to elect the O-IRP process. Consequently, Basin Electric seeks Commission approval of its preferred full IRP procedural path as follows:

1) July 1, 2025 – File O-IRP and concurrently file this Notice of Changed Circumstances and Request for Extension to submit a full IRP by October 1, 2027.
2) Fall 2025 – Commission agenda hearing on Request for Extension and, if requested, 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.

Basin Electric respectfully requests the Commission approve this procedural path for the following reasons. First, Basin Electric has not filed a full IRP since 2008 in Docket No. ET-

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discretion. The Commission's rules specify biennial filings, but as resource plans have become more complex the Commission has sometimes altered that requirement."); *In the Matter of Otter Tail Power Company's 2017-2031 Resource Plan*, Docket No. E017/RP-16-386, Order dated December 30, 2019.

6125/RP-08-846. With the enactment of the O-IRP statute in 2012, Basin Electric has been filing O-IRPs as directed by the Commission. Basin Electric recognizes it will need significant staff time to develop a full IRP in accordance with the Commission's IRP rules and other Minnesota statutory compliance requirements. Basin Electric is also committed to incorporating robust modeling that aligns with a full IRP for a cooperative under Minn. Stat. § 216B.2422, subd. 2(b).[7]

Second, as discussed above, Basin Electric's Minnesota retail electric load has fluctuated around the four percent Minnesota retail sales threshold as set in Subdivision 2b. If the overall state of Minnesota sees significant load growth in the near term, Basin Electric may fall below the four percent threshold and not be required to submit a full IRP.[8] If the proposed procedural path is approved by the Commission, Basin Electric will submit by July 1, 2026 an updated Minnesota retail sales projection. This update will provide the Commission and parties time to determine if Basin Electric will sustain its Minnesota retail sales amount above four percent.

Third, for many of the same reasons that other Minnesota utilities have invoked changed circumstances and requested filing extensions,[9] Basin Electric is navigating an ever-changing energy regulatory landscape. From significant proposed changes by federal agencies to the plethora of law and policy changes in the nine states Basin Electric provides service to its members, it needs time to incorporate these updates into a full IRP. Basin Electric is also adding new generation and transmission assets to its fleet, conducting Request for Proposals (RFPs) to add new resources to meet significant load growth, and complying with state requirements including

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[7] Basin Electric's IRP will continue to be advisory under Minn. Stat. § 216B.2422, subd. 2(b).

[8] See Star Tribune, *Mega data centers are coming to Minnesota. Their power needs are staggering* (January 10, 2025), available at: https://www.startribune.com/mega-data-centers-are-coming-to-minnesota-their-power-needs-are-staggering/601204129.

[9] *See, e.g., Xcel Energy's 2005-2019 Resource Plan, Notice of Changed Circumstances, Request to Modify Schedule for Resource Acquisition Proceedings, and Proposal for New Resource Plan Filing*, Docket No. E002/RP-04-1752 (July 20, 2007) ("we believe that new laws adopted by the 2007 Minnesota Legislature – most notably, the Renewable Energy Standard and Energy and Efficiency Act – pose significant change for our system that require thoughtful review in the context of a resource plan."); *Request for One-Year Extension of Great River Energy's Next Integrated Resource Plan Filing*, Docket No. ET2/RP-22-75 (June 16, 2025) ("GRE awaits further guidance from the Commission on how to demonstrate compliance with Minnesota's Carbon Free Standard.").

Minnesota's Renewable Energy Standard and Carbon Free Standard.[10] In addition, while Basin Electric is not planning at this time to add any new Minnesota-based resources that would require a Certificate of Need.[11]

Finally, the extension will provide Basin Electric the opportunity to conduct IRP-specific stakeholder outreach with its member cooperatives and the communities they serve. Basin Electric does ongoing outreach with all of its member cooperatives, but has not done so as part of the O-IRP process. If the Commission grants an extension, it will provide the time to coordinate stakeholder outreach in conjunction with submitting a full IRP.

CONCLUSION

Basin Electric respectfully requests the Commission approve the proposed procedural path and grant an extension until October 1, 2027 to submit a full IRP. This additional time will provide the Commission and parties with a full and complete resource plan under Minnesota's requirements for an electric cooperative.

Dated: July 3, 2025

Respectfully submitted,

David R Moeller

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[10] Minn. Stat. § 216B.1691 and Docket No. E999/CI-23-151.

[11] Minn. Stat. § 216B.2422, subd. 2(b).

Basin Electric Power Cooperative's Optional Integrated Resource Plan (IRP) **MPUC Docket No. ET6125/RP-25-266**

CERTIFICATE OF SERVICE

Michael Latana certifies that on the 3rd day of July, 2025, he e-filed true and correct copy the following document on behalf of Basin Electric Power Cooperative via eDockets (www.edockets.state.mn.us):

1. Updated Notice of Changed Circumstance and Request for an Extension.

Said document was also served as designated on the Official Service Lists on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: July 3, 2025

Signed: /s/ Michael Latana
Fredrikson & Byron, P.A.
60 South Sixth Street
Suite 1500
Minneapolis, MN 55402

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Michael	Ahern	ahern.michael@dorsey.com	Dorsey & Whitney, LLP		50 S 6th St Ste 1500 Minneapolis MN, 55402-1498 United States	Electronic Service		No	RP-25-266
2	Brian	Bell	bell.brian@dorsey.com	Dorsey & Whitney LLP		50 South Sixth St. Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	RP-25-266
3	William	Black	bblack@mmua.org	MMUA		Suite 200 3131 Fernbrook Lane North Plymouth MN, 55447 United States	Electronic Service		No	RP-25-266
4	B. Andrew	Brown	brown.andrew@dorsey.com	Dorsey & Whitney LLP		Suite 1500 50 South Sixth Street Minneapolis MN, 55402-1498 United States	Electronic Service		No	RP-25-266
5	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	RP-25-266
6	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	RP-25-266
7	Allen	Gleckner	gleckner@fresh-energy.org	Fresh Energy		408 St. Peter Street Ste 350 Saint Paul MN, 55102 United States	Electronic Service		No	RP-25-266
8	Jenny	Glumack	jenny@mrea.org	Minnesota Rural Electric Association		11640 73rd Ave N Maple Grove MN, 55369 United States	Electronic Service		No	RP-25-266
9	Benjamin	Hertz	bhertz@bepc.com	Basin Electric Power Cooperative		1717 E Interstate Ave Bismarck ND, 58503 United States	Electronic Service		No	RP-25-266
10	Casey	Jacobson	cjacobson@bepc.com	Basin Electric Power Cooperative		1717 East Interstate Avenue Bismarck ND, 58501 United States	Electronic Service		No	RP-25-266
11	Becky	Kern	bkern@bepc.com	Basin Electric Power Cooperative		1717 E Interstate Ave Bismarck ND, 58501 United States	Electronic Service		No	RP-25-266
12	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	RP-25-266
13	Jean	Schafer	jeans@bepc.com	Basin Electric Power Cooperative		1717 E Interstate Ave Bismarck ND, 58501 United States	Electronic Service		No	RP-25-266

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
14	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		Yes	RP-25-266
15	Laurie	Williams	laurie.williams@sierraclub.org	Sierra Club		Environmental Law Program 1536 Wynkoop St Ste 200 Denver CO, 80202 United States	Electronic Service		No	RP-25-266