

October 31, 2024

VIA E-FILING

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: In the Matter of the Application of Snowshoe BESS, LLC for a Site Permit for the up to 150 MW Snowshoe Energy Storage Project in Olmsted County, Minnesota

Docket No. IP-7138/ESS-24-279

Dear Mr. Seuffert:

Snowshoe BESS, LLC (Snowshoe BESS) respectfully submits these reply comments regarding the completeness of its Application for a Site Permit (Application) for a battery energy storage system (BESS) with a nominal power rating of up to 150 megawatts alternating current with approximately 600 megawatt-hours of energy capacity known as the Snowshoe Energy Storage Project in Kalmar Township, Olmsted County, Minnesota (Project).

Specifically, Snowshoe BESS responds to initial comments filed by the Minnesota Department of Commerce, Energy Environmental Review and Analysis (DOC-EERA), International Union of Operating Engineers Local 49 and the North Central States Regional Council of Carpenters (IUOE and NCSRC of Carpenters), and the Minnesota Department of Agriculture (MDA).

DOC-EERA

Application Completeness.

DOC-EERA filed comments dated October 25, 2024. Snowshoe BESS appreciates DOC-EERA staff's thorough review of the Application and comments on this process going forward. DOC-EERA staff recommended the Minnesota Public Utilities Commission (Commission) accept the Application as substantially complete.

Advisory Task Force.

Snowshoe BESS agrees with DOC-EERA staff that an advisory task force is not warranted. Therefore, the Commission should decline to appoint an advisory task force.

Application Review Process.

Snowshoe BESS agrees with DOC-EERA staff's recommendation that the matter should be referred to the Office of Administrative Hearings (OAH) for a public hearing and preparation of a full administrative law judge report with recommendations.

IUOE and NCSRC of Carpenters

IUOE and NCSRC of Carpenters filed comments dated October 24, 2024 regarding its desire to maximize job benefits for local workers. Although the comments did not discuss Application completeness, Snowshoe BESS appreciates the comments of IUOE and NCSRC of Carpenters and looks forward to further discussions related to the Project and the use of local workers.

MDA

MDA filed comments dated October 24, 2024. Although the comments did not discuss Application completeness, MDA recognized that the Project is the first stand-alone BESS to come before the Commission and explained MDA's desire to collaborate with Snowshoe BESS to develop an appropriate plan to address potential impacts to agricultural land resulting from construction, operation, and decommissioning of the Project.

On October 29, 2024, Snowshoe BESS met with MDA to discuss the Project and its potential impacts to agricultural land that may need to be addressed by mitigation or management measures. During this meeting MDA clarified that its October 29, 2024 comments were not meant to indicate the Application is not complete. Rather, MDA indicated its comments were intended to convey that appropriate agricultural mitigation measures should be developed by Snowshoe BESS and MDA during the permitting process. Snowshoe BESS appreciates MDA's comments and commits to working with MDA, throughout the site permit process, to develop appropriate agricultural impact mitigation measures for the Project.

Conclusion.

Snowshoe BESS respectfully requests that the Commission find the following:

1. Accept the Application as substantially complete and authorize review of the Application under the alternative permitting process under Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900;
2. Find that an advisory task force is not warranted; and
3. Refer the matter to the OAH for a public hearing and preparation of a full administrative law judge report with recommendations.

Given there has been no comment indicating Application is incomplete, this matter appears ready for consideration by the Commission and could be considered by consent calendar.

These reply comments have 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.

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

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/ Jeremy P. Duehr

Jeremy P. Duehr

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Email: jduehr@fredlaw.com

JPD

**In the Matter of the Application of Snowshoe
BESS, LLC for a Site Permit for the up to 150
MW Snowshoe Energy Storage Project in
Olmsted County, Minnesota**

MPUC Docket No. IP-7138/ESS-24-279

CERTIFICATE OF SERVICE

Breann L. Jurek certifies that on the 31st day of October, 2024, she e-filed a true and correct copy of the documents listed below on behalf of Snowshoe BESS, LLC via eDockets (www.edockets.state.mn.us):

- Snowshoe BESS, LLC's Reply Comments on Application Completeness; and
- Certificate of Service

to the Minnesota Public Utilities Commission, via edockets (www.edockets.state.mn.us). Said document was also served on the Official Service Lists on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: October 31, 2024

Signed: /s/ Breann L. Jurek

Fredrikson & Byron, P.A.

60 South Sixth Street

Suite 1500

Minneapolis, MN 55402

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
David	Bell	david.bell@state.mn.us	Department of Health	POB 64975 St. Paul, MN 55164	Electronic Service	No	OFF_SL_24-279_TL-24-279
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_24-279_TL-24-279
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.	60 S Sixth St Ste 1500 Minneapolis, MN 55402-4400	Electronic Service	No	OFF_SL_24-279_TL-24-279
Kate	Fairman	kate.fairman@state.mn.us	Department of Natural Resources	Box 32 500 Lafayette Rd St. Paul, MN 55155-4032	Electronic Service	No	OFF_SL_24-279_TL-24-279
Annie	Felix Gerth	annie.felix-gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_24-279_TL-24-279
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_24-279_TL-24-279
Todd	Green	Todd.A.Green@state.mn.us	Minnesota Department of Labor & Industry	443 Lafayette Rd N St. Paul, MN 55155-4341	Electronic Service	No	OFF_SL_24-279_TL-24-279
Chris	Green	Chris.Green@state.mn.us	Minnesota Pollution Control Agency	504 Fairgrounds Rd Suite 200 Marshall, MN 56258	Electronic Service	No	OFF_SL_24-279_TL-24-279
Eric	Hansen	eric.hansen@westwoodps.com	Westwood Professional Services	7699 Anagram Drive Eden Prairie, MN 55344	Electronic Service	No	OFF_SL_24-279_TL-24-279
Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA	60 S Sixth St Ste 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_24-279_TL-24-279

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Richard	Kolodziejski	rkolodziejski@ncsrcc.org	North Central States Regional Council of Carpenters	700 Olive St St. Paul, MN 55130	Electronic Service	No	OFF_SL_24-279_TL-24- 279
Chad	Konickson	chad.konickson@usace.army.mil	U.S.Army Corps of Engineers	332 Minnesota St. Suite E1500 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_24-279_TL-24- 279
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Dawn S	Marsh	dawn_marsh@fws.gov	U.S. Fish & Wildlife Service	Minnesota-Wisconsin Field Offices 4101 American Blvd E Bloomington, MN 55425	Electronic Service	No	OFF_SL_24-279_TL-24- 279
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Emily	McMillan	emily.mcmillan@westwoodps.com	Westwood Professional Services	12701 Whitewater Drive, Suite 300 Minnetonka, MN 55343	Electronic Service	No	OFF_SL_24-279_TL-24- 279
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 55101-2131	Electronic Service	Yes	OFF_SL_24-279_TL-24- 279
John	Reynolds	John.Reynolds@state.mn.us	Minnesota Indian Affairs Council	161 St. Anthony Avenue, Ste. 940 St. Paul, MN 55103	Electronic Service	No	OFF_SL_24-279_TL-24- 279

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Nathaniel	Runke	nrunkel@local49.org	International Union of Operating Engineers Local 49	611 28th St. NW Rochester, MN 55901	Electronic Service	No	OFF_SL_24-279_TL-24-279
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_24-279_TL-24-279
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Alan	Whipple	sa.property@state.mn.us	Minnesota Department Of Revenue	Property Tax Division 600 N. Robert Street St. Paul, MN 55146-3340	Electronic Service	No	OFF_SL_24-279_TL-24-279
Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Office of Pipeline Safety	445 Minnesota St Ste 147 Woodbury, MN 55125	Electronic Service	No	OFF_SL_24-279_TL-24-279