

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

121 7th Place East, Suite 350
St. Paul, MN 55101-2147

In the Matter of Minnesota Power's
Application for Approval of its 2025-2039
Integrated Resource Plan

PUC Docket No. E015/RP-25-127

**LPI NOTICE OF MOTION AND
MOTION TO COMPEL RESPONSES
TO DISCOVERY REQUESTS**

PLEASE TAKE NOTICE that the Large Power Intervenors ("LPI") move the Minnesota Public Utilities Commission ("Commission") for an order compelling Minnesota Power to provide responsive documents to LPI Information Request Nos. 2c, 30, 31, and 46 because Minnesota Power has failed to provide responsive documents or information. Minn. R. 7843.0300 subp. 8; Minn. R. 7829.0410. Parties wishing to contest this motion have fourteen days to contest the motion by filing a written response with the Commission and serving copies on all persons listed on the official service list. Minn. R. 7829.0410 subp. 2.

DATED: April 3, 2026

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**MEMORANDUM OF LAW IN
SUPPORT OF LPI’S
MOTION TO COMPEL RESPONSES
TO DISCOVERY REQUESTS**

The Large Power Intervenors (“LPI”)¹ respectfully request the Minnesota Public Utilities Commission (“Commission”) order Minnesota Power (“the Company”) to provide substantive responses to LPI’s Information Request (“IR”) Nos. 2c, 30, 31, and 46. Despite LPI’s repeated requests, Minnesota Power has continually refused to produce substantive responses to LPI’s requests. The information requested by LPI is required under Chapter 7843 of the Minnesota Rules governing Commission review of integrated resource plans. Furthermore, responses to these information requests are crucial to LPI’s thorough review of the Company’s integrated resource plan (“IRP”) and to develop an adequate record for the Commission in this matter.

I. FACTS

LPI has been productively participating in this proceeding since its inception, filing an initial comment and submitting 78 information requests to date.² LPI has also participated in the stakeholder workshops prior to the Company’s filing of its IRP.³ LPI has repeatedly sought certain information from Minnesota Power regarding forecasted rate increases on a total-bill basis, which the Company has refused to provide. Beginning on June 18, 2025,⁴ LPI IR No. 2 requested an

¹ LPI is an ad hoc consortium of Large Power and Large Light and Power customers of Minnesota Power consisting for purposes of this filing of Blandin Paper Company; Boise Paper, a Packaging Corporation of America company, formerly known as Boise, Inc.; Cleveland-Cliffs Minorca Mine Inc.; Enbridge Energy, Limited Partnership; Gerdau Ameristeel US Inc.; Hibbing Taconite Company; Sappi Cloquet, LLC; USG Interiors, Inc.; United States Steel Corporation (Keetac and Minntac Mines); and United Taconite, LLC.

² See Initial Comment (Dec. 1, 2025) (eDocket No. 202512-225428-02).

³ See Supplemental Filing at 11 (Jan. 15, 2026) (eDocket No. 20261-226995-01) (noting MP’s consultations with LPI); Supplemental Filing (Jan. 22, 2026) (eDocket No. 20261-227245-01)(noting LPI’s participation at the TAG engagement meeting in December 2025).

⁴ While the requests were made June 18, 2025, they were not filed until June 20, 2025.

updated Table 1 from Minnesota Power’s Appendix L, including “all forecasted rate increases Minnesota Power anticipates its customers will face, on a total-bill basis, for the years referenced.”⁵ Minnesota Power did not provide the requested information, instead stating it had already complied with what the Commission required.⁶ Subsequently, on January 21, 2026, LPI submitted IR Nos. 30 and 31 again asking MP to reproduce Table 1 to provide anticipated rate increases on a total-bill basis, and asking MP to update Table 1 to include current and average starting point for 2026 average for each customer class, including all-in bill and rate increase projections across customer classes for 2026-2029.⁷ The Company responded that “the Company does not have a projection of all-in customer rate increases into the future.”⁸ Again on March 6, 2026, LPI IR No. 46 requested the Company produce a projection of all-in rate and bill increases for each customer class across the 2026-2029 timeframe.⁹ Once again, the Company stated it “does not have a consolidated rate projection as LPI is requesting at this time.”¹⁰ Notwithstanding this alleged inability for calculating cost increases, Minnesota Power’s recent filing for a new electric service agreement with a new super large customer is apparently able to calculate cost savings, wherein Minnesota Power asserts “significant benefits for existing customers – an estimated range of \$600 million to \$800 million over the 15-year contract period.”¹¹

II. ARGUMENT

LPI members comprise a majority of the load on Minnesota Power’s system (roughly two-thirds), and pay a corresponding amount for any increases in costs for service. Therefore, the cost implications of Minnesota Power’s IRP are significant for LPI members. Proceeding from the Company’s refusal to provide pertinent information to LPI about the rate increases it can anticipate

⁵ See LPI IR No. 2.

⁶ See MP Response to LPI IR No. 2 (“As discussed in Appendix L, Minn. Stat. § 216B.1691, subd. 2e. requires electric utilities to submit to the Minnesota Public Utilities Commission (“Commission”) a report containing an estimation of the rate impact of their resource plans. As part of the Commission’s review of a utility’s resource plan, it must evaluate the plan’s ability to “keep the customers’ bills and the utility’s rates as low as practicable, given regulatory and other constraints.” In 2011, the Commission ordered Minnesota Power to include a “cost impact analysis by customer class” in its next resource plan.² The Company has complied with this order point by including the cost impact analysis by customer class for the 5 Year Power Supply Plan in its subsequent integrated resource plans, including the 2025 IRP.”)

⁷ See LPI IR Nos. 30, 31

⁸ MP Response to LPI IR No. 30.

⁹ See LPI IR No. 46.

¹⁰ MP Response to LPI IR No. 46.

¹¹ *In the Matter of a petition for Approval of an Electric Service Agreement between Google and Minnesota Power*, Docket No. E015/M-26-159, Petition, pg. 3 (March 27, 2026) (“Data Center ESA Petition”).

from the Company's IRP, LPI is regrettably forced to come before the Commission to seek an order that would grant its motion to compel the Company to produce the information requested.

The Commission should direct the Company to produce projections for all-in rate increases that will result from its IRP across customer classes. This information is responsive to LPI IR Nos. 2, 30, and 31, and germane to the substance of this proceeding.

A. Applicable Law Governing Commission Review of Integrated Resource Plans Requires Minnesota Power to Produce this Information

The applicable law to this proceeding states “The parties *shall comply* with *reasonable requests* for information by the commission, other parties, and other interested persons.”¹² Requests for the all-in cost projections for a resource plan are reasonable because those projections are a critical consideration under applicable laws, such as Minn. Stat. § 216B.2422, Minn. R. 7843.0400, 7843.0500. Minn. Stat. § 216B.2422 requires a utility to file a resource plan in accordance with Commission rules, part of which must include “the *least cost* plan for meeting 50 and 75 percent of all energy needs from both new and refurbished generating facilities through a combination of conservation and renewable energy resources.”¹³ Minn. R. 7843.0400 requires the resource plan to include certain supporting information regarding “availability, reliability, *cost*, socioeconomic effects, and environmental effects.”¹⁴ The Commission must issue a decision on the utility's proposed resource plan based on the information filed in the record, “including responses to information requests.”¹⁵ In evaluating a resource plan for approval, the Commission must consider several factors, one of which is the ability of the proposed resource plan to “keep the customers' bills and the utility's rates as low as practicable...”¹⁶ It is therefore entirely reasonable for LPI to request this information, which Minnesota Power is required to produce, and which should help inform the Commission's decision. Alternatively, it is difficult to understand how the Commission could adequately consider whether customers' rates and bills are kept as low as practicable in the absence of this information—customers do not pay incremental rates and bills.

¹² Minn. R. 7843.0300 subp. 8 (emphasis added) (LPI is a regular intervenor in Minnesota Power proceedings, has requested intervention in this proceeding, and is certainly an interested person under this rule).

¹³ Minn. Stat. § 216B.2422, subd. 2(a, c) (emphasis added).

¹⁴ Minn. R. 7843.400, subp. 3 (emphasis added).

¹⁵ Minn. R. 7843.0500, subp. 1.

¹⁶ Minn. R. 7843.0500, subp. 3.B.

B. Contested Case Discovery Rules Would Also Require Minnesota Power to Produce This Information

The size and scope of the generational investments to Minnesota Power’s electric system will undeniably result in a series of general rate cases handled under a contested case process. Therefore, considering LPI’s requests in light of rules applicable these future contested cases is appropriate and should be instructive as parties and the Commission consider LPI’s motion. For example, under Minn. R. 1400.6700, subp. 2 and Minn. R. Civ. P. 26.02(b), parties are entitled to obtain discovery related to any nonprivileged matter relevant to any party’s claim and proportional to the needs of the case. Relevant evidence “means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.”¹⁷ These discovery rules do not permit a party to withhold documents if they are necessary for the proper presentation of the requesting parties’ case, the requests are not intended to delay, and the amounts in controversy are significant enough to warrant the discovery.¹⁸

First, LPI requires the information requested for the presentation of its case. The all-in cost for Minnesota Power’s IRP is consequential for LPI members, whose comprise two-thirds of Minnesota Power’s load and pay the corresponding amount for service. Without a full picture of the cost of the Company’s IRP, LPI cannot appropriately analyze the filing and believes the Commission cannot make a fully informed decision without this cost information. While the Company has provided incremental cost data to customers, such information is insufficient to give customers and the Commission the full picture about what Minnesota Power’s plan will cost. Further, without cost projections on a total-bill basis, LPI cannot analyze whether the Company’s IRP comports with Minn. R. 7843.0500, subp. 3(b), which requires the Commission to evaluate a resource plan on its ability to “keep the customers’ bills and the utility’s rates as low as practicable...”¹⁹ Without a full picture as to what the Company’s proposal will cost, parties and the commission cannot assess whether this resource plan will be able to keep customer bills and Minnesota Power rates as low as practicable.

¹⁷ Minn. R. Evid. 401.

¹⁸ Minn. R. 1400.6700, subp. 2.

¹⁹ Minn. R. 7843.0500, subp. 3(b).

LPI's requests are not made with the intent to delay; rather, the Company's unwillingness to provide basic information has delayed LPI's ability to fully analyze this resource plan. LPI has timely requested this information from the Company multiple times, beginning approximately nine months ago. LPI believes the Company has had more than sufficient time to generate this information if it does not already exist, and is unsure why the Company has been unwilling to do so for the past nine months. Further, each request has been made well before the commenting deadline for this proceeding, and creating cost projections to give customers and the Commission an idea of what this plan will cost would have no impact on the procedural schedule.

Finally, the amounts in controversy are certainly enough to warrant discovery, although responses to LPI's IRs are germane to understanding the approximate total rate increase. Minnesota Power's Appendix L to its initial filing projects cost increases for Large Light & Power customers spanning from \$437.78/month, to up to \$2,756.65/month. For Large Power customers, those increases are projected to span from \$94,071/month to \$600,104/month. These increases are significant, and do not even capture the total rate impact of this IRP. The Company is making a significant financial request of ratepayers across the next four years, and its customers are entitled to know what their all-in costs are going to be. Thus, LPI has a vested interest in the information it has requested to understand the anticipated rate increase on a total-bill basis so as to properly analyze the IRP. LPI understands that all costs cannot be known for certain at this stage, but without a realistic estimate of what the IRP will cost, LPI and the Commission cannot make reasoned analyses or determinations about the IRP and its compliance with state law.

LPI is entitled to the production of certain information through discovery. Further, given the Commission's clear interest in a well-developed record on this issue and the benefit to the factfinders of understanding how much the Company's IRP will cost ratepayers, the public interest in producing the documents outweighs the burden of producing them.²⁰ LPI has sufficiently demonstrated that its requests do not justify the Company's refusal to provide basic, foundational information about what its resource plan will cost.

²⁰ See Minn. R. Civ. P. 26.02(b).

III. CONCLUSION

LPI made reasonable, relevant, and narrowly-construed information requests to Minnesota Power for responses that were required as part of Minnesota Power's initial IRP filing and are critical to LPI's thorough analysis of the Company's IRP filing. Minnesota Power has continually refused to produce helpful responses, despite repeated attempts by LPI to receive this information. Therefore, LPI respectfully requests the Commission order the Company to produce documents responsive to LPI Information Request Nos. 2c, 30, 31, and 46.

DATED: April 3, 2026

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