

December 17, 2025

The Honorable James Mortenson  
Court of Administrative Hearings  
600 North Robert Street  
P.O. Pox 64620  
Saint Paul, MN 55164-0620

RE: EIP Reply Comments – North Star Battery Energy Storage Project  
**PUC Docket No. IP-7155/ESS-25-123**  
**OAH Docket No. 5-2500-40938**

Dear Judge Mortenson,

Minnesota Public Utilities Commission (Commission) Energy, Infrastructure Permitting (EIP) staff provides the following comments on the North Star Battery Energy Storage Project (project) proposed by North Star Energy Storage, LLC (an affiliate of DESRI Renewables, L.L.C.) (Applicant).

In these comments, EIP staff:

- Responds to hearing comments and proposed permit conditions,
- Responds to the Applicant’s Proposed Findings of Fact, Conclusions of Law, and Recommendation (FOF)

## **1. Response to Hearing Comments**

### ***Members of the Public***

At the public hearing in Stacy, Minn. on October 28, 2025, several members of the public provided oral comments on the project. Commentors were concerned with aesthetic impacts of the project, taxation of the project, and public health and safety.<sup>1</sup>

EIP staff notes that section 5.2 of the Draft Site Permit (DSP)<sup>2</sup> would require the permittee to develop a Visual Screening Plan, in coordination with adjacent landowners, to mitigate aesthetic impacts. Additionally, Section 5.13 of the DSP would require the permittee to file an annual report describing any incidents at the site that required an emergency response (as does Section 8.12 of the DSP), and Section 8.11 of the DSP requires the permittee to submit an Emergency Response Plan for approval by the Commission.

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<sup>1</sup> Shaddix and Associates – Stacy Public Hearing Transcript, October 28, 2025, eDockets no. [202511-224830-01](#)

<sup>2</sup> EIP, EA Appendix C - Draft Site Permit, October 13, 2025, eDockets no. [202510-223823-01](#)

***Minnesota Department of Natural Resources Comments***

On November 12, 2025, the Minnesota Department of Natural Resources (DNR) provided a hearing comment.<sup>3</sup> In its comment, DNR supported the proposed special condition 5.1 of the Draft Site Permit concerning protections for Blanding’s turtles. The DNR also supported Section 5.7 of the DSP which requires the permittee to design fencing in coordination with the DNR. The DNR also supported Section 5.8 of the DSP, which requires wildlife-friendly erosion control measures for the project. The DNR also supported Section 5.9 of the DSP, which recommends applying water to exposed soils to reduce fugitive dust. The DNR also supported special condition 5.5, which requires coordination between the permittee and the interagency Vegetation Management Planning Working Group (VMPWG) to amend the existing Vegetation Management Plan (VMP) for the North Star Solar Generating Facility (North Star Solar) to incorporate the proposed North Star Storage project.

***Minnesota Interagency Vegetation Management Planning Working Group Comments***

On November 12, 2025, the VMPWG filed comments related to the Applicant’s draft vegetation management plan, which is the current plan used by North Star Solar.<sup>4</sup> The VMPWG’s comments suggested that the North Star Solar VMP be amended to clarify the goals and objectives for vegetation management in the site proposed for the project, designate specific management units within the site, describe the amounts of impervious surfaces proposed, identify a vegetation contractor, and provide a marked up site plan identifying impervious areas and vegetation management units.

EIP staff notes that Section 5.5 requires permittees to prepare a VMP in coordination with the VMPWG.

***Applicant Comments on the Environmental Assessment***

On December 3, 2025, the Applicant filed comments in response to hearing comments and the environmental assessment (EA).<sup>5</sup> The Applicant had no objections to the special conditions recommended in the DSP, with the exception of Section 5.12 concerning requirements for an offtake agreement. The Applicant proposed revising this special condition to state that the Applicant would have four years, instead of two, to advise the Commission of the reason for not having an executed Offtake Agreement. EIP staff supports the Applicant’s proposed revisions to Section 5.12 of the DSP.

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<sup>3</sup> DNR, Public Comments, November 12, 2025, eDockets no. [202511-224882-01](#)

<sup>4</sup> VMPWG, November 12, 2025, Comments, eDockets no. [202511-224874-01](#)

<sup>5</sup> Applicant, Response to Public Hearing Comments, December 3, 2025, eDockets no. [202512-225507-01](#)

The Applicant also proposed revised language for Section 8.11 of the DSP concerning Emergency Response. The Applicant added the following language, indicated by red, underlined text, to Section 8.11 to clarify expectations for the contents of the Emergency Response Plan

“The Permittee shall prepare an Emergency Response Plan (ERP) in consultation with the emergency responders having jurisdiction over the Project prior to construction. The plan developed shall have a process for (1) identifying any specialized equipment gaps for responding to emergencies at the BESS; (2) acquiring the equipment; and (3) providing any training for the specialized equipment at the Permittee’s expense. The plan shall also indicate that the annual training of emergency service personnel with site operators must be done at the Permittee’s expense. The Permittee shall file the ERP, along with any comments from emergency responders to the Commission at least 14 days prior to the pre-construction meeting and a revised ERP, if any, at least 14 days prior to the pre-operation meeting. At least 14 days prior to the pre-operation meeting, the Permittee shall file with the Commission an affidavit of the distribution of the ERP to emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the Project. The Permittee shall obtain and register the Project address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the Project”

EIP staff supports the Applicant’s proposed revisions to Section 8.11 of the DSP.

## 2. EIP Comments on Proposed Findings

EIP proposes one revision to the Applicant’s proposed FOF, which were filed in a letter on December 03, 2025<sup>6</sup>.

1. EIP recommends revising Finding 19 to clarify that the Scoping Meeting was held by Commission and EERA staff, since the meeting occurred prior to EERA moving to the Commission.

EIP appreciates the opportunity to comment on the proposed project. Sincerely,



Sam Weaver

Environmental Review Manager

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<sup>6</sup> Applicant, Letter with Proposed Findings of Fact, December 3, 2025, eDockets no. [202512-225507-02](#)