

February 4, 2026

VIA E-FILING

Sasha Bergman
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
Saint Paul, MN 55101-2147

Re: In the Matter of the Application of North Star Energy Storage, LLC for an up to 100-megawatt Battery Energy Storage System Site Permit for the North Star Storage Project in Chisago County, Minnesota

CAH Docket No. 5-2500-40938
MPUC Docket No. IP-7155/ESS-25-123

Dear Ms. Bergman:

North Star Energy Storage, LLC (North Star Storage or Applicant) respectfully submits these exceptions to the Findings of Fact, Conclusions of Law, and Recommendations (Report) filed by the Administrative Law Judge (ALJ) in the above-referenced matter. The Report recommends that the Minnesota Public Utilities Commission (Commission) grant a site permit for the North Star Battery Energy Storage Project (Project). The Report is thorough and comprehensively summarizes the record developed in this matter. North Star Storage supports the Report's recommendations. Because of the Report's comprehensive analysis, North Star Storage offers limited exceptions to the Report as well as an update regarding further coordination with the Minnesota State Historic Preservation Office (SHPO).

SHPO Consultation Update

In the October 21, 2025 Testimony of Joel Puritz (Testimony), North Star Storage provided an update on additional cultural resource surveys its consultant conducted on a potentially historically significant farmstead located to the southwest of the Project Area adjacent to Highway 14. The farmstead was not included in the initial cultural resource study provided to SHPO because it was outside of the site boundary. However, as described in the record in this matter, North Star Storage subsequently moved the access road for the Project to a location that would intersect a portion of the farmstead. North Star Storage's consultant, Merjent, conducted a field survey to assess whether any of the character defining features of the potentially eligible farmstead would be impacted by the access road. Merjent's report concluded that the area to be impacted by the Project driveway will not impact the character defining features of the potentially eligible farmstead. Merjent's report was provided to SHPO and on December 3, 2025, North Star Storage received a supplemental letter from SHPO confirming that "[b]ased on [its] review of the proposed change, [it has] determined that no significant archaeological sites will be affected by this project and that there are **no properties** listed in the National or State Registers of Historic Places, or

within the Historic Sites Network, that will be affected by this project” (Attachment 1). Accordingly, North Star Storage requests updates to the Report, as outlined below, to reflect the additional SHPO consultation.

Requested Report Revisions

To address the supplemental SHPO coordination described above, North Star Storage proposes the following revisions to Findings 120 and 121 of the Report:

Finding No. 120

In 2014, North Star Energy worked with Westwood to do a Phase 1 Archaeological Investigation with assistance from 10,000 Lakes Archaeology. No archaeological or historic sites were identified in the land control area, but two sites were identified adjacent to the Project. One is a historic farm site adjacent to the Project to the southwest, the other was a historic farm site adjacent to the Project to the northeast. In 2015 the historic farm site to the northeast was deemed not eligible for National Register of Historic Places. It has since been destroyed in the building of the Solar Facility. In 2025, North Star worked with Merjent to conduct additional cultural resource study on the historic farm site adjacent to the Project to the southwest due to the relocation of the Project driveway near the historic farm site. Merjent determined that the area to be impacted by the Project driveway will not impact the character defining features of the potentially eligible farmstead.¹⁴⁸

Finding No. 121

North Star sent the 2014 results to SHPO in 2024 and SHPO agreed that the 2014 survey was adequate for the Project and additional archaeological surveys are not required. North Star sent the 2025 results to SHPO and SHPO agreed that no significant archaeological sites will be affected by this Project and that there are **no properties** listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by the Project.¹⁴⁹

North Star Storage has identified a finding that needs clarification. As stated in the Application, North Star Storage will implement targeted noise reduction strategies to minimize acoustic impacts, as necessary.¹ North Star Storage proposes to correct Finding 79 of the Report, which currently suggests North Star Storage is committing to employing *all* of the enumerated measures rather than listing mitigation measures that are available to North Star Storage in the event additional noise mitigation is needed. North Star Storage proposes the following revision to Finding 79 of the Report:

Finding No. 79

North Star will mitigate construction noise impacts by limited construction to daytime hours to the extent practicable, and

¹ See North Star Storage Site Permit Application at 44 (Feb. 28, 2025) (eDocket No. [20252-215915-02](#)).

proposed noise barriers enclosing the BESS in its amended application.¹⁰⁴ North Star will also implement noise mitigations in final design of the Project. Additional mitigation measures to minimize noise during operation may include selecting individual BESS units with lower noise levels, installing equipment silencers on BESS enclosures, installation of noise barriers (such as fences or berms), and operational limits.¹⁰⁵

North Star Storage has also identified three findings in the Report with incorrect references to either the environmental impact being addressed or the applicable sections of the Draft Site Permit that pertain to the environmental impact being addressed. Accordingly, North Star Storage proposes the following revisions to Findings 87, 133 and 157 of the Report:

Finding No. 87

North Star has taken steps to avoid and minimize ~~noise~~ impacts to land use and zoning. Further, Sections 4.3.22, 5.5 and 9.2 of the Draft Site Permit address ~~noise impacts from the Project~~ land use and zoning impacts.¹¹⁴

Finding No. 133

Sections ~~4.3.11, 4.7.3 and 4.7.4~~ of the Draft Site Permit provides for a CSW Permit and implements the BMPs for erosion prevention and sediment control. Impacts to groundwater can also be minimized by mitigating impacts to and soils and surface waters.¹⁶¹

Finding No. 157

North Star has taken steps to avoid and minimize impacts to ~~surface water resources wildlife and habitat~~. Further, Sections ~~5.97, 5.108, 5.10~~ 5.10 and 8.13 of the Draft Site Permit specify measures that will minimize impacts to wildlife. Other potential mitigation measures include checking open trenches and removing any wildlife caught in trenches before backfilling and restricting mowing from April 15 to August 15 will improve the potential for ground nesting habitat.¹⁸⁷

Conclusion

North Star Storage respectfully requests the Commission adopt the Report, incorporating these revisions and clarifications, and issue a site permit for the Project.

These exceptions 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.

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

Sincerely,

Ms. Sasha Bergman
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FREDRIKSON & BYRON, P.A.

/s/ Jeremy P. Duehr

Jeremy P. Duehr
Direct Dial: (612) 492-7413
Email: jduehr@fredlaw.com

December 3, 2025

William Risse, Director/Developer
North Star Battery Energy Storage Project
D.E. Shaw Renewable Investments, LLC
william.l.risse@deshaw.com

RE: North Star Battery Energy Storage Project – Redesigned Access Road
T35 R21 S36, Chisago County
SHPO Number: 2025-0530

Dear William Risse:

Your contracted archaeological consultant, Merjent, sent us additional information regarding the above referenced project. We understand that the proposed project has been revised to include an access road through archaeological site 21CH0134. We have reviewed the proposed change and are providing comments pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (138.665-666). If this project will be located on non-federal public land, the project will also be subject to review under the Minnesota Field Archaeology Act (138.40).

Based on our review of the proposed change, we have determined that no significant archaeological sites will be affected by this project and that there are **no properties** listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by this project. We agree that archaeological site 21CH0134 remains unevaluated for listing in the National Register of Historic Places.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

If you have any questions regarding our review of this project, please contact Environmental Review Archaeologist Lucy Harrington at lucy.harrington@state.mn.us.

Sincerely,



Amy Spong
Deputy State Historic Preservation Officer

CC: Aaron Armstrong-Duarte, Merjent

**In the Matter of the Application of North
Star Energy Storage, LLC for an up to
100-megawatt Battery Energy Storage
System Site Permit for the North Star
Storage Project in Chisago County,
Minnesota**

CERTIFICATE OF SERVICE

**CAH Docket No. 5-2500-40938
MPUC Docket No. IP-7155/ESS-25-123**

Maia Martinez certifies that on the 4th day of February, 2026, she e-filed on behalf of North Star Energy Storage, LLC, a true and correct copy of its Exceptions to ALJ Report with the Minnesota Public Utilities Commission via eDockets (www.edockets.state.mn.us).

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

Executed on: February 4, 2026

Signed: /s/ Maia Martinez

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	Sasha	Bergman	sasha.bergman@state.mn.us		Public Utilities Commission	121 7th PI E Ste 350 St. Paul MN, 55101 United States	Electronic Service		Yes	Official 25-123
2	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		Yes	Official 25-123
3	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	Official 25-123
4	Ryan	Cox	rcox@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	Official 25-123
5	Monika	Davis	monika.davis@merjent.com			1 Main Street Suite 300 Minneapolis MN, 55414 United States	Electronic Service		No	Official 25-123
6	Martin	Donovan	martin.donovan@state.mn.us		Department of Natural Resources	500 Lafayette Road St Paul MN, 55155 United States	Electronic Service		No	Official 25-123
7	Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	Official 25-123
8	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	Official 25-123
9	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	Official 25-123
10	James	Mortenson	james.mortenson@state.mn.us		Office of Administrative Hearings	PO BOX 64620 St. Paul MN, 55164-0620 United States	Electronic Service		No	Official 25-123
11	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	Official 25-123
12	William	Risse	wrisse@nationalgridrenewables.com	National Grid Renewables Development, LLC		8400 Normandale Blvd Ste 1200 Bloomington MN, 55437 United States	Electronic Service		No	Official 25-123
13	Nathaniel	Runke	nrunke@local49.org			611 28th St. NW Rochester MN, 55901 United States	Electronic Service		No	Official 25-123

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
14	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix & Associates		7400 Lyndale Avenue South Suite 190 Richfield MN, 55423 United States	Electronic Service		No	Official 25-123
15	Sam	Weaver	sam.weaver@state.mn.us		Public Utilities Commission		Electronic Service		No	Official 25-123