

**STATE OF MINNESOTA  
PUBLIC UTILITIES COMMISSION**

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IN THE MATTER OF A COMMISSION  
INVESTIGATION ON GRID AND CUSTOMER  
SECURITY ISSUES RELATED TO PUBLIC  
DISPLAY OR ACCESS TO ELECTRIC  
DISTRIBUTION GRID DATA

DOCKET NO. E-002/CL-20-800

**COMMENTS OF NOKOMIS ENERGY**

Nokomis Energy submits these comments for consideration in the above-styled docket. We appreciate the opportunity to comment on this matter of important public policy. Our comments relate to just two areas, the security risks at issue, and existing data sharing obligations.

**I. The Workgroup Has Still Not Identified the Motivating Security Risk**

Notwithstanding the concerns expressed by Xcel Energy,<sup>1</sup> no party in the workgroup has identified a security issue that might be remedied or improved through further restraints in data sharing. When Nokomis raised this issue, we were directed to the Director of National Intelligence’s Annual Threat Assessment.<sup>2</sup> Upon review, however, we note that the Annual Threat Assessment contains absolutely no mention of any security issue related to the sharing of data about the distribution grid. The words “grid” “electric” “electricity” “transmission” don’t even appear; the word “distribution” only appears in the context of the distribution of wealth in China. Xcel has referred to the dangers posed by “foreign adversaries” or “local bad actors,” but has not provided a source for these omnipresent, evergreen concerns, or explained how restraining distribution information will address the risk.

As a result, Nokomis believes that the workgroup has a long road ahead, if it has not yet identified its ostensible motivating purpose. Even with the best intentions, a problem that has not been identified cannot be readily solved.

**II. FERC Requires Much of This Information To Be Shared**

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<sup>1</sup> Xcel Energy, *Letter*, Doc. No. 20-800 (Oct. 8, 2024).

<sup>2</sup> Director of National Intelligence, *Annual Threat Assessment of the U.S. Intelligence Community* (Feb. 5, 2024) (<https://www.dni.gov/files/ODNI/documents/assessments/ATA-2024-Unclassified-Report.pdf>)

Although it has been mentioned briefly, the workgroup must account for FERC Order 792, which already obligates all Utilities to share the following information in a pre-application report:

- Total capacity and available capacity of the facilities that serve the Point of Interconnection
- Existing and queued generation at the facilities likely serving the Point of Interconnection
- Voltage of the facilities that serve the Point of Interconnection
- Circuit distance between the proposed Point of Interconnection and the substation likely to serve the Point of Interconnection (Substation)
- Number and rating of protective devices and number and type of voltage regulating devices between the proposed Point of Interconnection and the Substation
- Number of phases available at the proposed Point of Interconnection
- Limiting conductor ratings from the proposed Point of Interconnection to the Substation
- Peak and minimum load data
- Existing or known constraints associated with the Point of Interconnection<sup>3</sup>

These reports are now a routine process, controlled by non-disclosure agreements and limited distribution. To the extent any party intends to pursue further constraints on the longstanding sharing of this information – as opposed to the sharing of new or additional information – the workgroup will need to grapple with this requirement.

NOKOMIS ENERGY



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By: Matthew Melewski  
Its: General Counsel

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<sup>3</sup> FERC, Small Generator Interconnection Agreements and Procedures, Final Rule, Order 792 at 23 (Nov. 22, 2013).

Pursuant to Minn. R. 7829.0400 Subp. 3, I have electronically filed the foregoing with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list.

/s/ Matthew Melewski

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