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PUBLIC HEARING - 24-68

WEBEX - MARCH 24, 2025 - 6:00 P.M.

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Xcel Energy for a  
Certificate of Need for Additional Dry Cask Storage at  
the Prairie Island Nuclear Generating Plant Independent  
Spent Fuel Storage Installation

MPUC DOCKET NO: E-002/CN-24-68

OAH DOCKET NO: 25-2500-39971

Hearing held remotely via:

Webex and Telephone

March 24, 2025

BEFORE: Judge Megan McKenzie

STENOGRAPHIC COURT REPORTER: Christine Simons, RMR, RPR

1 APPEARANCES:

2 CHRISTOPHER CERNY, Winthrop & Weinstine,  
3 P.A., appeared on behalf of Northern States Power  
4 Company d/b/a Xcel Energy.

5 KATHERINE ARNOLD, Assistant Attorney  
6 General, appeared on behalf of the Minnesota  
7 Department of Commerce.

8 PUC STAFF:

9 Craig Janezich

10 DOC EERA STAFF:

11 Jenna Ness  
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15 WHEREUPON, the following proceedings were  
16 duly had and entered of record, to wit:  
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Pam Gorman Prochaska	8
Jenna Ness	13

1 JUDGE MCKENZIE: We are going on the  
2 record now and convening this public hearing In the  
3 Matter of the Application of Xcel Energy for a  
4 Certificate of Need for Additional Dry Cask Storage  
5 at the Prairie Island Nuclear Generating Plant  
6 Independent Spent Fuel Storage Installation. This  
7 is PUC Docket CN-24-68; this is OAH Docket Number  
8 25-2500-39971.

9 Welcome, everyone. My name is Megan  
10 McKenzie, and I am an Administrative Law Judge with  
11 the Office of Administrative Hearings. The Office  
12 of Administrative Hearings is an independent entity  
13 of state government that is not affiliated with the  
14 Public Utilities Commission, Xcel Energy, the  
15 Department of Commerce, the Attorney General's  
16 Office, or any other party to this proceeding.

17 And I have been requested -- the PUC has  
18 requested that I preside over this public hearing  
19 and an evidentiary hearing in this matter. I will  
20 review all of your comments and the record as a  
21 whole after the evidentiary hearing and submit a  
22 report to the Public Utilities Commission setting  
23 forth findings of fact, conclusions of law and a  
24 recommendation to the Commission. The Public  
25 Utilities Commission will then take that

1 recommendation and make the final decision.

2 So this hearing's purpose is to obtain  
3 input from the public and the community in regards  
4 to the proposed project, which is the additional  
5 storage capacity at the existing installation at the  
6 Prairie Island nuclear generating plant.

7 So what we will do here today is have  
8 some introductions and brief presentations from some  
9 of the parties involved in this case. We will then  
10 move to the public comments portion where we will  
11 encourage everyone to make comments.

12 We do have a court reporter present on  
13 this hearing, and so even though we're not in a  
14 courtroom -- or, I guess, I'm in a courtroom, you  
15 all are not necessarily in a courtroom, but this is  
16 an official proceeding. And it is important that we  
17 have everything accurately recorded because I will  
18 use the transcript in making my recommendations, and  
19 the Commission will ultimately review that as part  
20 of their determination.

21 So it's important that everyone speak  
22 clearly, enunciate. We'll ask that everyone just  
23 speak one at a time, and, please, if you have any  
24 names or places or acronyms, please spell them out  
25 so that the court reporter can accurately write them

1 down.

2 And so I will start out, we can go to  
3 then the next portion. I guess I jumped the gun a  
4 little bit, here's the agenda. So I just ask for  
5 people to introduce themselves as we move forward  
6 through the presentations.

7 MR. CRAIG JANEZICH: Are you ready for me  
8 to start, Judge McKenzie?

9 JUDGE MCKENZIE: Yes, please go ahead.

10 MR. CRAIG JANEZICH: Okay. Hello. My  
11 name is Craig Janezich, and I'm a facilities planner  
12 with the Public Utilities Commission. On this  
13 slide, there's my contact information with my e-mail  
14 address and phone number if you have any questions  
15 about this docket.

16 When the Commission makes a decision,  
17 they need to look at -- they determine their  
18 decision based on the certificate of need, and in  
19 doing so, they have to look at the probable direct  
20 or indirect result of a denial, and that's impact --  
21 and its impact on future adequacy; whether there's a  
22 more reasonable or prudent alternative to the  
23 proposed facility; evidence in the record of if  
24 granting the certificate would be more favorable to  
25 society than consequences of denying it; and

1 evidence in the record that shows the approval won't  
2 impede on other rules and regulations in  
3 federal/state government, local government.

4 This slide shows you a general timeline  
5 of the application. Obviously today, March 24th,  
6 we're going to have -- oh, that's reversed. It  
7 should be March 24th is the virtual hearing;  
8 March 25th is the in-person hearing. We anticipate  
9 the Administrative Law Judge to issue a report on  
10 July 1st, and the Commission will consider whether a  
11 certificate of need should be issued in July or  
12 August.

13 I will say after the Commission makes a  
14 determination, the legislature has one legislative  
15 session to review or modify or not do anything with  
16 the Public Utilities Commission decision before it  
17 is in effect.

18 We're accepting comments, written  
19 comments, through April 10th, 2025. We'd ask you  
20 get them to us by 4:30 p.m. You can send them to us  
21 via online, our website, e-mail, or U.S. mail. We  
22 just ask that you include the PUC Docket Number  
23 24-68 or the OAH Docket Number 25-2500-39971, and  
24 there are several questions we'd like you to focus  
25 on if you are, in fact, going to participate.

1                   This last slide shows you where you can  
2                   access -- or my last slide shows you where you can  
3                   access the environmental impact statement if you  
4                   would like to review that, the full case record.  
5                   And you also can subscribe to the docket. That's  
6                   helpful when anything is ever filed to the docket,  
7                   you'll receive an e-mail, and you'll be notified if  
8                   you'd like to follow closer to what's going on.

9                   The other option -- and if you want, you  
10                  can use the eDocket website. What you do is you put  
11                  the Docket Number 24-68 in the docket number space  
12                  and you hit search. And that will show you  
13                  everything on the record that the ALJ and the  
14                  Commission can consider when making their decision  
15                  on this docket.

16                 Then, I'll hand it over to Pam from Xcel  
17                 Energy.

18                 MS. PAM GORMAN PROCHASKA: Good  
19                 afternoon. Thanks for having me. Yes, I am Pam  
20                 Gorman Prochaska from Xcel Energy. I am a -- our  
21                 general manager of fleet operations. I work in the  
22                 nuclear policy and planning area. So I will be  
23                 giving you an overview of the project itself, and as  
24                 you see on the slide, the docket numbers are there  
25                 if you want to reference them.



1                   Next slide, please, or do I do it?

2                   Okay. Again, this is just an overview of  
3                   the certificate of need application, which we filed  
4                   in February of 2024. So, again, a high-level  
5                   summary: Xcel Energy believes the operation of the  
6                   Prairie Island plant beyond 2033 and '34 is in the  
7                   best interest for our customers, the state, the  
8                   environment, and the communities we serve.

9                   So as part of extending the operation of  
10                  the plant, we need to increase the spent fuel  
11                  storage at Prairie Island, and this application  
12                  would extend it for an additional 20 years of  
13                  operation, so between 2033-34 and 2053 and '54. The  
14                  20-year extension is based on the resource planning  
15                  models that we conducted for the Upper Midwest  
16                  integrated resource plan that was recently approved  
17                  by the Minnesota PUC.

18                  And just a sidenote, adding the storage  
19                  would be within the existing dry storage site  
20                  footprint as it exists today. And we have a picture  
21                  of what that looks like coming up, so I'll be able  
22                  to better explain when we get to the picture, but  
23                  that's kind of the summary of where we're at.

24                  Next slide.

25                  So Minnesota state statute requires a

1 certificate of need for expanding existing dry cask  
2 storage. And that -- what goes along with that is  
3 an environmental impact statement, and that was  
4 issued February 2025. And the comment period is  
5 open now and will run through April 10th, as  
6 previously mentioned.

7 We had done previous certificate of needs  
8 as we have expanded the storage site, which  
9 supported the 2033 and '34 operation, and then, as  
10 mentioned, on February 7th, 2024, that is when the  
11 company filed the new certificate of need  
12 application with the PUC for the 20 years of  
13 extended operation.

14 And, again, Craig already went over the  
15 schedule, but anticipating a decision by the end of  
16 2025, and then that legislative stay or review that  
17 would be in the 2026 session.

18 Next slide.

19 So at Prairie Island -- and, again, the  
20 picture, I believe, might be the next slide, but we  
21 currently have 52 dry storage systems at the  
22 facility. We're going to load another three this  
23 year. As we expand for this certificate of need, it  
24 will not change the footprint of the ISFSI and where  
25 the casks are currently located. We would

1 anticipate another 34 canisters that support this  
2 20-year life extension from '33, '34 to '53 and '54.

3 Next slide.

4 So along with the state side -- or state  
5 process, there's also a process with the Nuclear  
6 Regulatory Commission for a license -- extending our  
7 license. So we currently have the licenses that go  
8 until '33 and '34, and the next process that we  
9 would go through with the NRC is called subsequent  
10 license renewal, SLR. And that is where we will ask  
11 the NRC for a license to extend to those 2053 and  
12 '54 dates.

13 The schedule, as we are looking at it  
14 now, we would file that SLR application with the NRC  
15 by the end of 2026, quarter 3/quarter 4. And then  
16 right now those applications are typically taking 18  
17 to 24 months as part of that review cycle with the  
18 Nuclear Regulatory Commission, and so we would  
19 anticipate that we have that renewed license by the  
20 end of 2028.

21 And that allows us five years, really, to  
22 make changes or upgrade equipment or any changes  
23 that the NRC may -- you know, go with the renewed  
24 license. And we have outages then between 2028 to  
25 2033 and '34 to make those changes that may come

1 with that renewed license.

2 To date, the NRC has already issued nine  
3 subsequent license renewals. And one of those is  
4 our Monticello nuclear plant that received it at the  
5 end of the year in 2024. Currently there are  
6 13 units that are under review and intent has been  
7 filed for another 28 units. So the NRC is in the  
8 midst of doing a number of these subsequent license  
9 renewal applications.

10 Next slide.

11 So here's a good visual. So you can see  
12 the plant in the background there off to the right  
13 with the two reactors, and then in the foreground  
14 here is the footprint of what the current  
15 independent spent fuel storage installation, or  
16 ISFSI, looks like.

17 As you can see, we have, as mentioned, 52  
18 canisters -- casks loaded, and, you know, do another  
19 three this year and up to 64 to get us to the end of  
20 the current license. And then, as mentioned, we are  
21 seeking approval for an additional 34 canisters that  
22 will provide that last 20 years of operation as part  
23 of the extension.

24 And as you can -- I mean, I'll just --  
25 you know, as you can see, it's not great, but it's

1       surrounded by a security fence, obviously, and then  
2       an area for our security to be able to monitor that  
3       perimeter. And then all of that is surrounded by an  
4       earthen berm which, you know, like I said, you can  
5       kind of make it out, but it's got an earthen berm  
6       that surrounds the entire ISFSI.

7               Next slide.

8               So if you have any questions on our  
9       application, or in general any questions, you can  
10      always reach out to myself or Amanda Jepson, who  
11      works for me and is really leading this project in  
12      our filing for the extended storage, that you're  
13      always welcome to reach out to us if you have  
14      questions on the proposal.

15              And next -- that might be our last slide.  
16      Yes.

17              MS. JENNA NESS: Hi. My name is Jenna  
18      Ness. I am with the Department of Commerce on the  
19      Energy Environmental Review and Analysis team, and I  
20      was the project manager for the environmental review  
21      in this project, meaning I wrote the EIS.

22              Next slide, please.

23              So we have the final EIS available for  
24      this project, and it will be the environmental  
25      review document associated with the certificate of

1       need. An EIS analyzes the potential human and  
2       environmental impacts for the project, as well as --  
3       when a certificate of need is involved --  
4       alternatives to the project, which you could see in  
5       the document if you've reviewed it or are planning  
6       to. This will be used by the Commission when they  
7       make their decision about the CN --

8               Next slide.

9               -- the certificate of need, excuse me.

10              And, Craig, I did have a question, is  
11      this going to be posted in eDockets, this  
12      presentation?

13              MR. CRAIG JANEZICH: Yeah, I will post  
14      it. Yeah.

15              MS. JENNA NESS: Okay. Thank you. I  
16      just wanted to clarify because I know we're going  
17      through the slides kind of quick. So if you don't  
18      catch our information on here, ask us in the chat.  
19      We can post it in there, or it will be posted as  
20      well because I have a lot of links on here as well.

21              MR. CRAIG JANEZICH: Right.

22              MS. JENNA NESS: So on the Department of  
23      Commerce website you can navigate to the project  
24      webpage and get more information there and find the  
25      EIS, as well as the Commission's website. I did

1 send a paper copy to the Red Wing public library,  
2 and if you e-mail me personally, I can look into  
3 getting you a printed copy if you'd like one  
4 yourself, but those are limited as they are  
5 incredibly large.

6 Next slide, please.

7 And that's all I have, Judge McKenzie.

8 JUDGE MCKENZIE: Okay. Very good.

9 We will move now to taking comments from  
10 the public. So just a few notes, I guess, about  
11 that. I very much encourage anyone who would like  
12 to make a comment to make a comment. We also have  
13 an in-person hearing tomorrow, which will cover the  
14 same -- basically the same information you've heard  
15 today.

16 There is also the ability to make written  
17 comments, and we will make sure that we put that  
18 slide up again before the end. I did just want to  
19 note that all comments are given the same weight,  
20 whether they are made in person, on this Webex, or  
21 in writing. So feel free to give a comment in the  
22 manner that is most comfortable to you. All  
23 comments provided by the deadline of April 10th will  
24 be considered.

25 So we will now move to taking any of the

1 members of the public who wish to make a comment.  
2 Has anyone indicated that they would like to make a  
3 comment, Craig?

4 MR. CRAIG JANEZICH: No, at this time  
5 they haven't, and I'll just go over the directions  
6 quick. If you'd like to chat, use the chat icon in  
7 the lower left-hand corner of the screen indicating  
8 that you'd like to speak. If you're a caller and  
9 you're strictly using a phone, press \*3, and that  
10 will indicate to us that you would like to speak,  
11 and at that point, I can call your name and unmute  
12 you.

13 So far no one has indicated an interest  
14 in speaking.

15 JUDGE MCKENZIE: Let's just switch  
16 briefly, do you have the slide about how to make  
17 written comments?

18 MR. CRAIG JANEZICH: Sure. I'll go back  
19 to that, yes. There we go.

20 JUDGE MCKENZIE: So if anyone would like  
21 to make a written comment, the information is here  
22 on this slide. You can visit the PUC's website,  
23 which is [MN.gov/PUC/consumers/public-comments](http://MN.gov/PUC/consumers/public-comments), and  
24 you'll be able to make public comments. There is an  
25 e-mail address, which is [consumer.PUC@state.mn.us](mailto:consumer.PUC@state.mn.us),



1 and then there is a U.S. mail address, which is on  
2 the screen, in St. Paul.

3 Although, I do believe -- Craig, you can  
4 correct me if I'm wrong -- that digital comments are  
5 preferred, but mail comments, obviously, are also  
6 accepted. And as I said, all comments are given the  
7 same weight whether they are made at a hearing or in  
8 writing.

9 MR. CRAIG JANEZICH: That's correct,  
10 Judge.

11 JUDGE MCKENZIE: And so I do not see  
12 anyone in the chat that has indicated that they  
13 would like to speak, and, again, anyone on the  
14 phone, use \*3 to indicate --

15 So I see a comment in the chat, which is,  
16 I guess, more of a question from Judy Helgen, "Who  
17 will monitor the casks 100 year or more from now?"

18 And I don't know if anyone from Xcel, or  
19 Jenna, if you would like to answer that question.

20 MS. JENNA NESS: Yeah, we talk about that  
21 in the EIS to the extent we can. Of course, we  
22 can't predict what it will look like 100 years from  
23 now, but to -- excuse me. So, yeah, we do discuss  
24 the outcomes if monitoring does continue and if it  
25 doesn't. And we do admit, if monitoring doesn't

1 continue, more -- from 100 years from now, the  
2 impact would be significant. But as that's in the  
3 process and we expect there to be permanent storage  
4 and monitoring within the next 100 years at least.  
5 Those impacts will be anticipated to be minimal, but  
6 we don't have a specific answer just because it's  
7 unknown at this point.

8 If Xcel would like to elaborate?

9 MS. PAM GORMAN PROCHASKA: Yeah. I think  
10 I can add a few comments about that. Obviously,  
11 we're going to store the fuel at our site and  
12 monitor it and take care of it as long as we're  
13 there. And so the company will be there.

14 In the meantime, we are continuing to  
15 work with Department of Energy on their  
16 responsibility and, actually, legal obligation to  
17 take the fuel. So there's currently a consent-based  
18 siting program taking place with the Department of  
19 Energy. And so we are heavily leading the industry  
20 as we work with them to come up with an interim and  
21 permanent solution, and anticipate moving that fuel  
22 from Prairie Island/Monticello to that facility once  
23 it's available.

24 But in the meantime, it will be our  
25 responsibility, and we will continue to monitor and

1 care for it with oversight by the Nuclear Regulatory  
2 Commission as long as the fuel remains on site.

3 JUDGE MCKENZIE: Thank you.

4 And do we have anyone on the phone,  
5 Craig, who's indicated that they would like to  
6 speak?

7 MR. CRAIG JANEZICH: We don't.

8 JUDGE MCKENZIE: I am going to, sort of,  
9 issue a last call. Craig, if you could just move to  
10 the instructions once again. If anyone would -- on  
11 the phone would like to add yourself, please press  
12 \*3, and anyone in the Webex, you can indicate in the  
13 chat icon that you would like to speak and you will  
14 be unmuted.

15 And I am not seeing anyone else  
16 indicating that they would -- that they would like  
17 to speak, so I will just ask Craig to put up the  
18 written comment information one more time before we  
19 adjourn. Sorry, Craig.

20 MR. CRAIG JANEZICH: No, you're fine.  
21 You're fine.

22 JUDGE MCKENZIE: So, again, written  
23 comments are accepted until the 10th. There is also  
24 an in-person meeting tomorrow in Red Wing.

25 So, Jenna, yes, I see a hand.

1 MS. JENNA NESS: Yes. Judy posted  
2 something else in the chat. I think she might be  
3 referring to something I said. It might be helpful  
4 to get some elaboration if you're willing to come  
5 off mute.

6 Otherwise, I don't know if Pam has  
7 anything else to add.

8 MR. CRAIG JANEZICH: Maybe --

9 MS. PAM GORMAN PROCHASKA: Maybe I said  
10 it, I certainly didn't -- if I said it, I'm not  
11 sure, maybe I didn't use the right words.

12 But clearly Xcel Energy, if we own that  
13 site, we're going to take care of the casks and take  
14 care of the site. And so we aren't going anywhere,  
15 and we'll take care of it 100 years from now if the  
16 fuel hasn't been moved by the Department of Energy.  
17 But in the meantime, we're going to continue to work  
18 with them to live up to that legal obligation.

19 So if I said it, I apologize. That was  
20 not a good use of words.

21 JUDGE MCKENZIE: All right. Well, thank  
22 you, everyone, for attending this evening. I  
23 appreciate everyone's attendance, and the public's  
24 participation in these proceedings is very  
25 important. It's important to me as I write my

1 report, I know it is also important to the  
2 Commission, and so I do appreciate your time and  
3 attention today.

4 And so seeing that we have no one in line  
5 to make public comments, I will adjourn the hearing.  
6 Thank you very much.

7 (Public hearing adjourned at 6:29 p.m.)  
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1 STATE OF MINNESOTA)  
2 ) ss.  
3 COUNTY OF RAMSEY )  
4  
5

6 REPORTER'S CERTIFICATE  
7  
8

9 I, Christine Simons, do hereby  
10 certify that the above and foregoing transcript,  
11 consisting of the preceding 21 pages is a  
12 correct transcript of my stenographic notes, and is  
13 a full, true and complete transcript of the  
14 proceedings to the best of my ability.

15 Dated March 29, 2025.  
16  
17  
18

19 /s/ Christine Simons  
20 CHRISTINE SIMONS  
21 Registered Merit Reporter  
22 Registered Professional Reporter  
23  
24  
25

*	<b>Although (1)</b> 17:3	<b>9:7</b>	<b>CN-24-68 (1)</b> 4:7	<b>cover (1)</b> 15:13
<b>*3 (3)</b> 16:9;17:14;19:12	<b>always (2)</b> 13:10,13	<b>better (1)</b> 9:22	<b>comfortable (1)</b> 15:22	<b>CRAIG (19)</b> 6:7,10,11;10:14; 14:10,13,21;16:3,4, 18;17:3,9;19:5,7,9,17, 19,20;20:8
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<b>accepting (1)</b> 7:18	<b>anticipated (1)</b> 18:5	<b>C</b>	<b>Commission (16)</b> 4:14,22,24,25;5:19; 6:12,16;7:10,13,16; 8:14;11:6,18;14:6; 19:2;21:2	<b>D</b>
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