

MDNR, and Section IV includes Applicant's response to other comments submitted during the comment period.

As an initial matter, the record demonstrates that the Project has been thoughtfully designed and sited to avoid and/or minimize human and environmental impacts to the greatest extent practicable. The Project makes efficient use of available land and optimizes electrical storage and efficiency while minimizing adverse human and environmental impacts, and, overall, the Project complies with the Minnesota Public Utilities Commission's (Commission) siting criteria.

I. Response to EERA Comments.

On May 8, 2025, EERA submitted comments recommending modifications to Snowshoe BESS's draft decommissioning plan and vegetation management plan (VMP), responding to Snowshoe BESS's comments filed in the Direct Testimony of Mary Matze² regarding conditions proposed in the DSP, and recommending additional special permit conditions. Snowshoe BESS responds to each topic in turn below.

A. Decommissioning Plan.

EERA provided comments on Snowshoe BESS's draft decommissioning plan and made recommendations for revisions related to the cover of the plan, decommissioning objective, scheduled updates, Project description, use of capacity, permits and notification, tasks and timing, cost estimate, and financial assurance. Snowshoe BESS appreciates EERA's comments and remains committed to working with EERA to revise the decommissioning plan prior to construction.

B. VMP.

On behalf of the VMPWG, EERA also provided comments on the Project's draft VMP.³ EERA noted that the Applicant's plan for site restoration and implementation appears to be achievable and includes a range of potential seed mixes that can meet the Applicant's objectives of establishing perennial vegetation that stabilizes soils and reduces run-off, does not impede facility components or obstruct maintenance and access, and increases biodiversity through the use of native species.⁴ EERA recommended that the Applicant continue to coordinate with the VMPWG as it finalizes the vegetation management plan, including the development of diverse, native seed

² See Ex. SNOW-8 at 13:22–14:15 (Direct Testimony of M. Matze and Schedules A–C) (Matze Direct). In the Direct Testimony of Mary Matze, Snowshoe BESS provided comments on, and in some instances recommended edits to, Sections 3 (Designated Site); 4.3.4 (Independent Third-Party Monitoring); 4.3.12 (Public Lands); 5.8 (State Historic Preservation Office Recommendations); and 5.9 (Security Fencing) of the DSP. Snowshoe BESS maintains its requested revisions except as stated otherwise in these comments.

³ Comment by the VMPWG (May 8, 2025) (eDocket No. [20255-218729-01](#)).

⁴ Comment by the VMPWG at 1 (May 8, 2025) (eDocket No. [20255-218729-01](#)).

mixes, refinement of the installation, management, and monitoring plans, and a list of species substitutions for each seed mix.⁵

Snowshoe BESS thanks the VMPWG for their comments. Snowshoe BESS remains committed to working with the VMPWG to further develop and revise the VMP prior to construction.

C. DSP Conditions.

In the comments, EERA also explained the changes to the Commission's sample energy storage system site permit⁶ reflected in the DSP that was filed with the EA.⁷ EERA also acknowledged Snowshoe BESS's suggested revisions to the DSP and made additional recommendations on a few permit conditions. Snowshoe BESS maintains its comments filed in the Direct Testimony of Mary Matze regarding conditions proposed in the DSP.⁸

Technical Corrections.

In its comments, EERA described several technical corrections throughout the DSP consistent with statutory and administrative rule changes in accordance with the Minnesota Energy Infrastructure Permitting Act (MEIPA), Minn. Stat. ch. 216I. The MEIPA, which takes effect on July 1, 2025, will replace the Minnesota Power Plant Siting Act, Minn. Stat. ch. 216E.⁹ Consistent with MEIPA, EERA replaced references to chapter 216E with 216I on the DSP cover and in Sections 1, 1.1, 4.3.14, and 6, and removed references to "Department of Commerce staff" in DSP Sections 4.2, 4.3.4, 4.3.16, 4.3.18, 4.3.19, 4.3.20, 4.3.21, 4.3.22, 4.3.26, 4.5.1, 4.5.2, 7, 8.13.2, 8.3, and 8.6. EERA also replaced inadvertent references to photovoltaic equipment with energy storage equipment in DSP Sections 3 and 4.3.12.¹⁰ Snowshoe BESS believes these technical corrections are appropriate and supports these modifications.

Designated Site.

In its comments, EERA acknowledged Snowshoe BESS's proposed modifications to DSP Section 3 (Designated Site) to correct technical issues (replacing photovoltaic tracker row, which was

⁵ Comment by the VMPWG at 4 (May 8, 2025) (eDocket No. [20255-218729-01](#)).

⁶ Ex. PUC-4 (Energy Storage System Sample Site Permit).

⁷ Ex. EERA-11 at Appendix C (EA; DSP).

⁸ See Ex. SNOW-8 at 13:22–14:15 (Matze Direct). In the Direct Testimony of Mary Matze, Snowshoe BESS provided comments on, and in some instances recommended edits to, the following conditions of the DSP: Sections 3 (Designated Site); 4.3.4 (Independent Third-Party Monitoring); 4.3.12 (Public Lands); 5.8 (State Historic Preservation Office Recommendations); and 5.9 (Security Fencing). Snowshoe BESS maintains its requested revisions except as stated otherwise in these comments.

⁹ Comment by EERA at 5 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

¹⁰ Comment by EERA at 6 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

inadvertently included, with energy storage system) and allow for the future augmentation of batteries over the Project's lifetime without a permit amendment or minor alteration from the Commission.¹¹ EERA agreed with Snowshoe BESS's replacement of "photovoltaic tracking system" with "energy storage system."¹² EERA did not expressly object to Snowshoe BESS's modifications related to future augmentation units, but recommended adding additional language if the Commission determines that battery augmentation is a process best regulated through a special permit condition, rather than a permit amendment per Minn. Stat. § 216I.09.¹³

Snowshoe BESS appreciates EERA's comments and is amenable to the addition of a special permit condition related to notice requirements prior to augmentation, as discussed below. Accordingly, Snowshoe BESS respectfully requests the DSP expressly allow the addition of augmentation units, as depicted in the final site plan, without a need for a site permit amendment or minor alteration approval from the Commission.

Section 3 Designated Site

The site designated by the Commission for the Project is depicted on the site maps attached to this site permit (Designated Site). The site maps show the approximate location of the energy storage system, including future augmentation units, and associated facilities within the Designated Site and identify a layout that seeks to minimize the overall potential human and environmental impacts of the Project, as they were evaluated in the permitting process.

The Designated Site serves to provide the Permittee with the flexibility to augment the Project in the future to maintain Project capacity, make minor adjustments to the layout to accommodate requests by landowners, local government units, federal and state agency requirements, and unforeseen conditions encountered during the detailed engineering and design process. The Permittee shall provide notice to the Commission, pursuant to Section 5.12, prior to commencing augmentation activities. Any modification to the location of a ~~photovoltaic tracker row~~ energy storage systems or associated facility shall be done in such a manner as to have human and environmental impacts that are comparable to those associated with the layouts on the maps attached to this site permit. The Permittee shall identify any modifications in the Site Plan pursuant to Section 8.3.

¹¹ Comment by EERA at 7 (May 8, 2025) (eDocket No. [20255-218706-01](#)); *see also* Ex. SNOW-8 at 10–11 (Matze Direct).

¹² Comment by EERA at 7 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

¹³ Comment by EERA at 8 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

Battery Augmentation.

As described in the Application, over the life of the Project, the batteries will lose some of their capacity.¹⁴ To maintain the facility's rated capacity, the Project will undergo augmentation either through the addition of battery modules within the existing enclosures or the addition of supplemental battery enclosures.¹⁵ Snowshoe BESS included the planned augmentation units in its Application and requested inclusion of a special condition to the site permit which would expressly allow the addition of augmentation units, as depicted in the final site plan, without a need for a site permit amendment or minor alteration approval from the Commission.¹⁶

In its comments, EERA proposed the addition of special condition 5.12 (Augmentation) to the DSP related to battery augmentation, if the Commission determines that augmentation is a process best regulated through a special permit condition. Snowshoe BESS appreciates EERA's comments and proposes a minor modification to reflect the fact that Snowshoe BESS may demonstrate compliance with the noise impact assessment in its initial site plan filing or with each augmentation filing and reflects the flexibility to do so in either circumstance.

5.12 Augmentation:

The Permittee shall notify the Commission of scheduled augmentation at least 30 days prior to commencing augmentation activities. In its filing, the Permittee shall describe the number and types of batteries included in the augmentation. The Permittee shall demonstrate compliance with the ~~include a~~ noise impact assessment submitted to the Commission as required in Section 5.2 of this permit.

Hazard Mitigation Analysis.

In its comments, EERA recommended modifying Section 5.4 (Hazard Mitigation Analysis) of the DSP to require Snowshoe BESS to file with the Commission an affidavit of the distribution of the Hazard Mitigation Analysis to emergency responders with jurisdiction over the Project.¹⁷ Snowshoe BESS appreciates EERA's comments and has no objection to the suggested modification.

5.4 Hazard Mitigation Analysis

The Permittee shall file a Hazard Mitigation Analysis detailing the results of the equipment testing, and the risks associated with the

¹⁴ Ex. SNOW-3 at 23 (Application).

¹⁵ Comment by EERA at 8 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

¹⁶ Ex. SNOW-3 at 23 (Application); Ex. EERA-11, Appendix D at Data Requests 6 and 7 (EA; Responses to Data Requests); *see also* Ex. SNOW-8 at 10–11 (Matze Direct).

¹⁷ Comment by EERA at 9 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

technology, along with an affidavit of distribution of the Hazard Mitigation analysis to emergency responders with jurisdiction over the project, at least 30 days prior to the pre-construction meeting.

Agricultural Impact Mitigation Plan (AIMP).

In its comments, EERA requested clarification from MDA regarding the Applicant's proposed modifications to Section 5.5 (AIMP) of the DSP.¹⁸ Snowshoe BESS initially proposed language which would require the Applicant to develop appropriate agricultural impact minimization and mitigation measures in Coordination with MDA, in lieu of a stand-alone AIMP, to be followed by the Applicant during construction, operation, and decommissioning of the Project.¹⁹ Snowshoe BESS worked with MDA to revise sections of the Application detailing the activities and best management practices (BMPs) related to agriculture (i.e., Sections 4.3, 5.3.1, and 5.3.1.1 of the Application) to more clearly define and detail those pre-construction, construction, and operations activities and BMPs that Snowshoe BESS would implement to protect the agricultural resources to the extent practicable.²⁰ Section 4.3 of the DSP requires Snowshoe BESS to comply with the construction practices, operation and maintenance practices, and material specifications described in the permitting record for this Project unless this site permit establishes a different requirement. Accordingly, Snowshoe BESS must adhere to the activities and agricultural BMPs filed in the Direct Testimony of Mary Matze²¹ to ensure compliance with the site permit upon issuance; the Applicant's initial proposed modifications to Section 5.5 (AIMP) of the DSP are therefore unnecessary.²² Moreover, on May 8, 2025, MDA filed comments recommending removal of Section 5.5 from the DSP. MDA noted that the DSP includes general conditions that are adequate for protecting neighboring agricultural lands and soils from impacts (Sections 4.3.9 through 4.3.11); and for protecting local and regional drainage networks (Sections 4.3.19, 4.3.22, 4.3.26, and 4.4).²³ MDA concluded that, considering its findings, it supports removal of Section 5.5 from the DSP.²⁴

Accordingly, Snowshoe BESS believes it is appropriate to remove Section 5.5 (AIMP) from the DSP. Snowshoe BESS further clarifies that it does not propose to incorporate the list of activities

¹⁸ See Ex. SNOW-8 at 12:15–25 (Matze Direct).

¹⁹ Ex. SNOW-8 at 9:22–10:11 (Matze Direct).

²⁰ Ex. SNOW-8 at 9:22–10:11 (Matze Direct).

²¹ See Ex. SNOW-8 at Schedule C (Matze Direct).

²² See Ex. EERA-11, Appendix C at § 4.3 (EA; DSP).

²³ Comment by MDA at 3 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

²⁴ Comment by MDA at 3 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

and BMPs, which were filed in the Direct Testimony of Mary Matze,²⁵ into the DSP because Section 4.3 of the DSP requires compliance with those commitments.

State Historic Preservation Office (SHPO) Recommendations.

In its comments, EERA recommended that Section 5.8 (State Historic Preservation Office Recommendations) be removed. Snowshoe BESS appreciates EERA's comments.

Security Fencing.

In its comments, EERA requested clarification from Snowshoe BESS and MDNR concerning the total height of the security fence and stated "regardless of whether the requirement to develop a fence plan in coordination with DNR remains part of the condition, EERA believes it is appropriate to require fence design to be included in the Site Plan."²⁶ Snowshoe BESS appreciates EERA's comments and has no objection to Section 5.9 of the DSP.

5.9 Security Fencing

The Permittee shall design the security fence surrounding the energy storage system to minimize the visual impact of the Project while maintaining compliance with the National Electric Safety Code. The Permittee shall develop a final fence plan for the specific site in coordination with the DNR. The final fence plan shall be submitted to the Commission as part of the Site Plan pursuant to Section 8.3.

Offtake Agreement.

In its comments, EERA recommended the addition of special condition 5.12 (Offtake Agreement). Snowshoe BESS does not object to a special condition using the language provided by EERA. Snowshoe BESS generally does not object to a special condition requiring an offtake agreement or some other enforceable mechanism for the sale of energy, capacity or ancillary services or other products; however the Project will not generate energy and may not sell its services in a similar way as energy generation projects. Moreover, EERA proposed Special condition 5.12 above. Snowshoe BESS proposes the following modification to the proposed Offtake Agreement and by renumber the condition as Section 5.13:

5.13 Offtake Agreement

In the event the Permittee does not have an offtake agreement, or some other enforceable mechanism for [the](#) sale of energy, capacity, [or ancillary services, and/or other products](#) provided by the Project at the time this site permit is issued, the Permittee shall provide

²⁵ Ex. SNOW-8 at Schedule C (Matze Direct).

²⁶ Comment by EERA at 11 (May 8, 2025) (eDocket No. [20255-218706-01](#)).

notice to the Commission when it obtains a ~~commitment~~mechanism for the sale of energy, capacity, or ancillary services, and/or other products. This site permit does not authorize construction of the Project until the Permittee has obtained an offtake agreement, or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products provided by the Project, including as an example, registration as a market participant with MISO. In the event the Permittee does not obtain an offtake agreement or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products provided by the Project within two years of the issuance of this site permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this site permit should be amended or revoked. No amendment or revocation of this site permit may be undertaken except in accordance with Minn. Stat. § 216I.09 or Minn. Stat. § 216I.14.

Annual Report.

In its comments, EERA recommended the addition of special condition 5.13 (Annual Report). Snowshoe BESS generally does not object to a special condition requiring monthly reporting; however the Project will not generate energy. Moreover, Snowshoe BESS proposed to renumber Special condition 5.12 above as Special Condition 5.13. Snowshoe BESS proposes the following modification to the proposed Offtake Agreement and by renumbering the condition as Section 5.14:

5.14 Annual Report

The Permittee shall, by February 1st following each complete or partial year of Project operation, file a report with the Commission on the monthly ~~energy production~~ availability of the facility including:

- (a) the installed nameplate capacity of the permitted facility;
- (b) the monthly and annual ~~capacity factor~~ availability of the facility;
- (c) the operational status of the facility and any major outages, major repairs, battery augmentation, or performance improvements occurring in the previous year; and
- (d) any other information reasonably requested by the Commission.

The Permittee shall file this information in a format recommended by the Commission. This information shall be considered public and must be filed electronically

II. Response to MDA Comments.

MDA submitted written comments on May 8, 2025, comparing potential agricultural impacts and MDA's current mitigation planning practices associated with two different types of BESS projects—integrated BESS projects and stand-alone BESS projects.²⁷ MDA identified two mitigation planning approaches applicable to stand-alone BESS projects: (1) Reduced-scope Agricultural Impact Mitigation Plan; and (2) Mitigative Actions as PUC Site Permit Conditions.²⁸ MDA also confirmed that mitigation of impacts to soils on the developed portion of a stand-alone BESS site is not required.²⁹ Instead, mitigation planning for stand-alone BESS projects should focus on potential impacts external to the site.³⁰

In its comments, MDA stated that it determined the Project qualified for the “Mitigative Actions as PUC Site Permit Conditions” mitigation planning approach.³¹ MDA also confirmed that Snowshoe BESS consulted with staff from MDA to collaboratively develop site permit application language that adequately addresses MDA's concerns for the protection of any onsite and adjoining agricultural infrastructure that provides service to adjacent farmlands.³²

Snowshoe BESS worked with MDA to revise sections of the Application detailing the activities and BMPs related to agriculture (i.e., Sections 4.3, 5.3.1, and 5.3.1.1 of the Application) to more clearly define and detail those pre-construction, construction, and operations activities and BMPs that Snowshoe BESS would implement to protect the agricultural resources to the extent practicable.³³ Section 4.3 of the DSP requires Snowshoe BESS to comply with the construction practices, operation and maintenance practices, and material specifications described in the permitting record for this Project unless this site permit establishes a different requirement.

²⁷ Comment by MDA at 1 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

²⁸ Comment by MDA at 2 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

²⁹ Comment by MDA at 2 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³⁰ Comment by MDA at 2 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³¹ Comment by MDA at 2 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³² Comment by MDA at 2 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³³ Ex. SNOW-8 at 9:22–10:11 (Matze Direct).

Accordingly, Snowshoe BESS must adhere to the activities and BMPs filed in the Direct Testimony of Mary Matze³⁴ to ensure compliance with the site permit upon issuance.³⁵

MDA also noted that the DSP includes general conditions that are adequate for protecting neighboring agricultural lands and soils from impacts (Sections 4.3.9 through 4.3.11); and for protecting local and regional drainage networks (Sections 4.3.19, 4.3.22, 4.3.26, and 4.4).³⁶ MDA concluded that, considering its findings, it supports removal of Section 5.5 from the DSP.³⁷

Snowshoe BESS appreciates MDA's review of the EA and its comments supporting the removal of Section 5.5 from the DSP.

III. Response to MDNR Comments.

MDNR submitted written comments on May 8, 2025, regarding fencing, lighting, wildlife friendly erosion control, dust control, and the VMP.³⁸

A. Security Fencing.

MDNR recommended that the "security fence reaches a minimum height of 10 feet to prevent large wildlife from entering the Project" and advised against the "the use of barbed wire due to entanglement and injury concerns in can cause wildlife."³⁹ Further, MDNR expressed support for Section 5.9 of the DSP requiring the Snowshoe BESS to design the final security fence in coordination with the DNR.

Snowshoe BESS reiterates that it does not oppose MDNR's recommendation that the fencing for the Project reach a minimum of 10 feet.⁴⁰ However, Snowshoe BESS respectfully disagrees with MDNR's recommendations as to the use of barbed wire. First, the 10-foot fence will exclude large mammals. Second, there will be no wildlife habitat within the fence and therefore a low likelihood that a deer or other large mammal would elect to enter the fenced area. Furthermore, Snowshoe BESS has included precautions in the Project design, such as barbed wire on the top of the fence, to prevent unauthorized human access to the site for safety.⁴¹ Accordingly, Snowshoe BESS will

³⁴ See Ex. SNOW-8 at Schedule C (Matze Direct).

³⁵ See Ex. EERA-11, Appendix C at § 4.3 (EA; DSP).

³⁶ Comment by MDA at 3 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³⁷ Comment by MDA at 3 (May 8, 2025) (eDocket No. [20255-218709-01](#)).

³⁸ Comment by MDNR (May 8, 2025) (eDocket No. [20255-218718-01](#)).

³⁹ Comment by MDNR at 1 (May 8, 2025) (eDocket No. [20255-218718-01](#)); *see also* Ex. EERA-5 (MDNR Scoping Comments).

⁴⁰ See Ex. SNOW-8 at 13:22–14:15 (Matze Direct).

⁴¹ See Ex. SNOW-3 at 51 (Application).

continue to coordinate with the MDNR on the fence design, but maintains its proposed fence topped by barbed wire will both exclude wildlife and ensure public safety. Snowshoe BESS does not believe any revisions to Section 5.9 are necessary.

5.9 Security Fencing

The Permittee shall design the security fence surrounding the energy storage system to minimize the visual impact of the Project while maintaining compliance with the National Electric Safety Code. The Permittee shall develop a final fence plan for the specific site in coordination with the DNR. The final fence plan shall be submitted to the Commission as part of the Site Plan pursuant to Section 8.3.

B. Lighting.

MDNR supports Special Condition Section 5.1 which directs the Permittee to use shielded and downward facing lighting and lights that minimize blue hue. Snowshoe BESS does not oppose Special Condition Section 5.1 of the DSP.

5.1 Lighting

Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the gate locations, BESS Enclosures, and along fence lines. Downward facing lighting must be clearly visible on the plan and profile submitted for the Project.

C. Wildlife-Friendly Erosion Control.

MDNR supports Special Condition Section 5.10 which requires the Permittee to use wildlife-friendly erosion control materials that do not contain plastic components. Snowshoe BESS does not oppose Special Condition Section 5.10 of the DSP.

5.10 Wildlife-Friendly Erosion Control

The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives.

D. Dust Control.

MDNR supports Section 5.11 of the DSP prohibiting the use of dust suppression agents that contain chloride. Snowshoe BESS does not oppose Section 5.11 of the DSP.

5.11 Dust Control

The Permittee shall minimize and avoid, if possible, the use of chloride-based dust control chemicals (i.e., calcium chloride, magnesium chloride).

E. Vegetation Management Plan.

MDNR supports Section 5.6 of the DSP directing the Permittee to coordinate with the VMPWG. Snowshoe BESS does not oppose Section 5.6 of the DSP.

5.6 Vegetation Management Plan

The Permittee shall develop a vegetation management plan (VMP), in coordination with the Department of Commerce, and the Vegetation Management Working Group (VMWG), using best management practices established by the DNR and BWSR. The Permittee shall file the VMP and documentation of the coordination efforts between the Permittee and the coordinating agencies with the Commission at least 14 days prior to the pre-construction meeting. Landowner-specific vegetation requests resulting from individual consultation between the Company and a landowner need not be included in the VMP. The Permittee shall provide all landowners within the Designated Site copies of the VMP. The Permittee shall file with the Commission an affidavit of its distribution of the VMP to landowners at least 14 days prior to the pre-construction meeting.

The VMP must include the following:

(a) management objectives addressing short term (year 0-5, seeding and establishment) and long term (year 5 through the life of the Project) goals;

(b) a description of planned restoration and vegetation management activities, including how the site will be prepared, timing of

activities, how seeding will occur (e.g., broadcast, drilling, etc.), and the types of seed mixes to be used;

(c) a description of how the site will be monitored and evaluated to meet management goals;

(d) a description of the management tools used to maintain vegetation (e.g., mowing, spot spraying, hand removal, fire, grazing, etc.), including the timing and frequency of maintenance activities;

(e) identification of the third-party (e.g., consultant, contractor, site manager, etc.) contracted for restoration, monitoring, and long-term vegetation management of the site;

(f) identification of on-site noxious weeds and invasive species (native and non-native) and the monitoring and management practices to be utilized; and

(g) a marked-up copy of the Site Plan showing how the site will be revegetated and that identifies the corresponding seed mixes. Best management practices should be followed concerning seed mixes, seeding rates, and cover crops.

IV. Response to Other Comments.

A. Response to Written Comments.

1. Comments by Matt Grant.

Matt Grant, Fire Chief, City of Byron Fire Department submitted a comment regarding available water resources for the Project. Mr. Grant suggested extending a water line from a nearby residential development and installing a city water main at the site.⁴² Snowshoe BESS will investigate the feasibility of extending a water line to the site. However, Snowshoe BESS does not currently have easement or lease rights to the property between the City and the site. Moreover, Snowshoe BESS has not discussed such an extension with the City and does not know whether it is technically feasible or cost-effective. Regardless, Snowshoe BESS will coordinate with Fire Chief Grant to discuss the results of its analysis and will continue to work with the fire department to address concerns raised about water availability on site.

⁴² Comment by Matt Grant (May 8, 2025) (eDocket No. [20255-218603-01](#)).

V. Conclusion.

Snowshoe BESS appreciates this opportunity to provide this response to the public comments. Because the record supports doing so, Snowshoe BESS respectfully requests that the Administrative Law Judge recommend that the Commission issue a site permit for the Project.

These reply comments 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,

FREDRIKSON & BYRON, P.A.

/s/ Jeremy P. Duehr

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JPD