

## NOTICE OF COMMENT PERIOD

Issued: November 21, 2019

**In the Matter of Basin Electric Power Cooperative's Integrated Resource Plan**  
**PUC Docket Number(s): ET-6125/RP-19-425**

**Comment Period:** Initial comment period closes December 20, 2019 at 4:30pm  
Reply comment period closes January 10, 2020 at 4:30pm

*Comments received after the close of the comment period may or may not be considered by the Commission.*

**Issue:** Sierra Club, Fresh Energy, and the Minnesota Center for Environmental Advocacy's (SCFEMCEA) Motion to Compel Basin's Response to Information Requests (IRs).

### Topic(s) Open for Comment:

- Are IRs 1-SCFEMCEA-1 (a), (c), (d), (i), and (j); IR 1-SCFEMCEA-2(b); IR 1-SCFEMCEA-4; and IR 1-SCFEMCEA-6 within the scope of Minn. Stat. § 216B.2422, subd. 2b? If any of the above is not within the scope, please provide a detailed reason why the specific inquiry is beyond the scope of Minn. Stat. § 216B.2422, subd. 2b.
- Subd. 2b states a "cooperative may, in lieu of filing a resource plan under subdivision 2, elect to file a report to the commission." What is the significance of the term "report" to describe the filing to be made, relative to the term "Resource plan," defined in subdivision 1? Please describe how a "report" may differ from a "Resource plan" as well as how a "report" may be similar to a "Resource plan."
- Subd. 2b states, "The report must include projected demand levels for the next 15 years and generation resources to meet any projected generation deficiencies." Does this sentence limit the discovery for O-IRP to only the content referenced in this sentence? If so, please explain how and why.
- Subd. 2b states, "to supply the information required in a report under this subdivision, a cooperative may use reports submitted under section 216C.17, subd. 2, reports to regional reliability organizations, or similar reports submitted to other state utility commissions." Does this sentence impact the Commission's ability to compel additional information? Why or why not?
- Subd. 2b also states "The commission may take whatever action in response to a report under this subdivision that it could take with respect to a report by a cooperative under subdivision 2." Does this sentence impact the Commission's ability to compel additional information? Why or Why not?
- Are there any practical or policy implications the Commission should be aware of for multi-jurisdictional cooperative utilities filing O-IRPs, or IRPs?

- In interpreting Minn. Stat. § 216B.2422, subd. 2b, what weight should be given to regulatory or legislative history? What conclusions should be drawn from the regulatory or legislative history if it is given any weight, and are there any other factors that should be considered?
- Are there other issues or concerns related to this matter?

**Background:** On June 27, 2019, Basin filed its 2019 Optional Integrated Resource Plan (O-IRP). On July 16, 2019, Sierra Club, Fresh Energy, and the Minnesota Center for Environmental Advocacy petitioned to intervene in the proceeding and simultaneously filed a set of six IRs to Basin. On October 4, 2019, the Minnesota Public Utilities Commission (Commission) issued its *Order Granting Intervention and Requiring Basin to Respond to information Requests*. In its Order, the Commission required Basin to respond to Information Requests, within 14 days, from the parties that are within the statutory scope of this type of proceeding or file with the Commission specific objections to each separate request detailing why the particular request is beyond the scope of Minn. Stat. § 216B.2422, subd. 2b. On October 18, 2019, Basin objected to the Parties Information Requests (IR) as beyond the scope of Minn. Stat. § 216B.2422, subd. 2b, with the exception of one IR relating to Basin’s forecast of anticipated load growth. On November 1, 2019, SCFEMCEA filed a motion seeking to Compel Basin to respond to IRs 1-SCFEMCEA-1 (a), (c), (d), (i), and (j); IR 1-SCFEMCEA-2(b); IR 1-SCFEMCEA-4; and IR 1-SCFEMCEA-6.

**Filing Requirements:** Utilities, telecommunications carriers, official parties, and state agencies are required to file documents using the Commission’s electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: [mn.gov/puc](http://mn.gov/puc), select *eFiling*, and follow the prompts.

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