

**In the Matter of Amazon Data Services, Inc.'s Petition for an Exemption from Certificate of Need Requirements for Emergency Backup Generators at Becker, Minnesota
(PUC Docket Number: PT7151/CN-24-435)**

LIUNA Minnesota and North Dakota appreciates the opportunity to offer comments to the Public Utilities Commission ("Commission") on the petition filed by Amazon Data Services ("Amazon") for an exemption from Certificate of Need ("CN") requirements related to plans to install up to 600 megawatts ("MW") of emergency backup generators at the company's proposed data center in Becker, Minnesota. We believe that Amazon's request is reasonable, and consistent with both the language and intent of the CN statute as well as the Commission's past treatment of off-grid emergency generation facilities.

LIUNA Minnesota and North Dakota represents more than 14,000 unionized construction workers statewide. This number includes hundreds of LIUNA members that live in or near the City of Becker and work at Xcel's Sherco power plant. Many of these members face impending retirement of generation units where they have worked for years, and where their families have worked for generations.

The Amazon data center project will create hundreds of jobs for LIUNA members and other local tradesmen and tradeswomen impacted by plant retirements, along with permanent jobs, tax revenues and other economic opportunities for Becker and surrounding communities. The project also has the potential to add 600 MW of beneficial electric load located near generation and transmission resources including Sherco Solar, a MISO grid interconnection and the Minnesota Energy Connection transmission line.

Siting the data at the proposed location in Becker is strategic for purposes of economic development and securing a just transition, but also because it minimizes the need for new infrastructure, which in turn maximizes the benefits of new load to ratepayers and system operations. Building the project in Minnesota will also deliver significant climate benefits compared to competing sites in states where mandates to decarbonize electricity are less aggressive or less likely to be achieved than Minnesota's if they exist at all. Even if Amazon took no extra measures to conserve energy or mitigate emissions, locating a 600 MW data center in Minnesota rather than North Dakota, Iowa or Wisconsin represents a significant climate win.

The likelihood of Minnesota securing this proposed investment and the attendant climate, energy and socioeconomic benefits is directly affected by the ability of state and local governments to provide a fair, proportional and timely process for reviewing and providing necessary approvals. Fortunately, we agree with Amazon that their proposed use of diesel-powered emergency backup generation units meets the legal requirement for a CN exemption based on the purpose and past application of the law as described in the company's petition.

Amazon's emergency backup generators will not feed the grid nor will they supplant electricity that would otherwise be provided by the regulated utility because they will operate only in emergencies and for purposes of equipment testing. The energy and emissions produced by the facility will be de minimis and far smaller than the emissions avoided by locating the facility in

Minnesota rather than elsewhere in the Midwest. There is simply no nexus between the operation of the backup generators and the policy goals of the CN statute or Minnesota's Carbon-Free Standard. Rather than using a CN process whose key elements align poorly with the actual plans and use for the facility, we recommend that the relevant impacts be addressed through the site permit.

We thank the Commission for your consideration and ask you to approve Amazon's petition

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Respectfully Submitted,
LIUNA Minnesota & North Dakota

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