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June 22, 2022

Will Seuffert
Executive Secretary
Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101

Re: Docket No. E002/CN-08-510
Xcel Energy's Request for Alternative Cask Storage Technology

Dear Mr. Seuffert:

In response to the Minnesota Public Utilities Commission's (the "Commission") notice on May 31, 2022, requesting comments on Xcel Energy's request for alternative dry cask storage technology at the Prairie Island Generating Plant (PINGP), the Prairie Island Indian Community (the "PIIC" or the "tribe") offers the following comments.

The Prairie Island Indian Community is a federally recognized Indian tribe organized under the Indian Reorganization Act of 1934. The Tribe's Reservation is located on the ancestral homeland of the Mdewakanton Dakota on Prairie Island, which is formed at the confluence of the Vermillion and Mississippi Rivers in southeastern Minnesota (approximately 35 miles southeast of the Twin Cities of Minneapolis and St. Paul, Minnesota).

As you no doubt are aware, immediately adjacent to our homeland is the Prairie Island Nuclear Generating Plant Units 1 and 2 ("PINGP") and its associated Independent Spent Fuel Storage Installation ("ISFSI"), which is owned and operated by Northern States Power Company d/b/a Xcel Energy ("Xcel Energy"). As such, we take an interest in relevant matters before the Commission; we attended, as well as hosted, scoping meetings for the Supplemental Environmental Impact Statement ("SEIS"), and provided comments on both the draft and final SEIS. We appreciate the efforts of the Department of Commerce to ensure that the Prairie Island Indian Community was informed and involved in the SEIS.

Should the Commission approve Xcel Energy's request for use of an alternative dry cask storage technology?

The Prairie Island Indian Community supports this change in dry cask technology, as it will facilitate earlier transport of spent fuel from the Prairie Island ISFSI to either a federal or private storage facility.

If approved, what, if any, additional condition(s) should be included in the Commission's Order?

The PIIC included the following in our comment letter to the Department (on the SEIS); we support:

- The conditions proposed by the Department of Commerce, Division of Energy Resources requiring Xcel Energy to file the results of its competitive bidding process with the Commission.
- A condition requiring Xcel Energy to file:
 1. the results of its application to the NRC for a transportation license for the TN-40HT cask; and
 2. the transportation license for any cask or canister selected for use in the PINGP ISFSI through Xcel Energy's competitive bidding process.
- A condition requiring Xcel Energy to file those documents made available for or provided to the NRC for use of a cask or canister other than a TN-40HT cask in the PINGP ISFSI.
- A condition requiring the Commission to implement a planning process or framework for institutional control of spent nuclear in the PINGP ISFSI (or in Minnesota, generally) or adapt an existing planning process or framework that addresses institutional control to make it relatively more public-facing, transparent, and inclusive.

Should the Commission make any findings regarding cost recovery in this docket?

The Commission should require Xcel Energy to provide a general accounting of how much money Minnesota taxpayers have paid for the partial breach (of the Standard Contract), as well as all taxpayers in the U.S. Our understanding is that the U.S. taxpayers have paid

well over \$9 Billion to the U.S. nuclear utilities for damages caused by the Department of Energy's failure to move spent fuel from reactor sites to a disposal site. It is estimated that the remaining liability could be close to \$31 Billion, depending on when the government can move spent fuel.¹ More clarity and transparency is needed.

Are there other issues or concerns related to this matter?

The Commission should require Xcel Energy to provide information regarding the likelihood of the TN-40 casks being transported to a federal or private storage facility. We understand that the TN-40's are licensed for transport and that the TN-40HT transportation license application is under review by the U.S. Nuclear Regulatory Commission (NRC) but, given their size (120 tons or 240,000 pounds), will these casks be accepted at either one of the two private storage facilities or a possible federal facility and can the Nation's rail infrastructure accommodate this weight? If not, what then?

Thank you for this opportunity to provide comments. If there are any questions, please feel free to contact Heather Westra at Heather.Westra@piic.org.

Respectfully submitted,



Johnny Johnson
Tribal Council President

¹ US Government Accountability Office, Report to Congress
<https://www.gao.gov/assets/gao-21-603.pdf>