North Dakota Public Service Commission Case No. PU-26-284 — Harmony Storage, LLC
Public Comment of Gary Grommesh Box 591, Casselton, ND 58012 · 701-238-1461
October 23, 2026

My name is Gary Grommesh. I live in Harmony Township.

Section 49-22-16 of the Century Code says a site may not be designated which violates local zoning.

This application was filed on July 10. Harmony Township adopted the zoning amendment the applicant relies on eleven days later, on July 21. The applicant's counsel then wrote this Commission on July 28, asserting the project is a permitted use under that amendment.

Three questions about that amendment remain unanswered by the township.

First. The Cass County Reporter requested a copy of the ordinance change from the township chairman on July 27. As of its October 21 edition, it reports it has never received one.

Second. The Reporter asked the zoning administrator who sits on the township zoning commission. He referred it to the township attorney at that time, Sarah Wear. The Reporter reports no answer came back.

Third. Harmony Township's own moratorium hearings, set for last night, were cancelled on the advice of its new counsel because the published notice was short of what the law requires.

I'm not asking the Commission to settle a township zoning dispute. I'm asking that the record show the local zoning basis for the permitted-use claim is unsettled, and that the Commission satisfy itself on that before a site is designated.

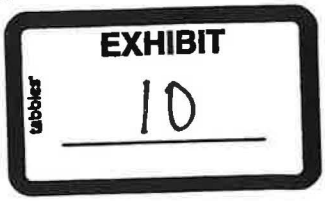
Respectfully submitted,

Gary Grommesh

45 PU-26-284 Filed 10/27/2026 Pages: 4
Exhibit 10 - Public Testimony Handouts

Harmony Storage, LLC

Attachment: Cass County Reporter, October 21, 2026, "Township zoning amendment raises questions prior to state PSC Hearing," by Angela Kolden, pages A5 and A9.



from school deeply upset and wouldn't want to read," Andersson said. "He noticed everyone else was reading chapter books. I thought, I can help you with that."

had a book.

Carl, a year older than Alan, acts as a beta reader for his mother.

"He is the one that I had read the proofs and he would

space if we wanted. We can go anywhere."

Andersson self-published through Amazon, but has been contacted by a few publishers. She is taking her time

"I'm so excited because it's another way for kids to experience the story," Andersson said. "My goal with this series has been to meet kids where

Famous at Night: The Night They Became Basketball Stars is available on Amazon and Audible.

Township zoning amendment raises questions prior to state PSC Hearing

By Angela Kolden
angela@ccreporter.com

As the North Dakota Public Service Commission (PSC) readies for a public hearing on the application for Harmony Storage, LLC later this week, a sequence of events surrounding the proposed project in Harmony Township raises questions about the township's zoning decision, public notice and the relationship between local land-use regulations.

According to public records, Harmony Storage LLC made application with the state PSC on July 10, 2026, seeking a certificate of site compatibility for a proposed 200-megawatt battery energy storage system in Harmony Township.

Eleven days later, on July 21, the Harmony Township Board of Supervisors approved an amendment to its zoning ordinance. The timing of the amendment, which followed Harmony Storage, LLC filing of the state application, raises questions about the circumstances leading to the zoning change and whether it was specifically intended to accommodate the proposed Harmony Storage project.

Another question stems from a public notice of the July 21 Harmony Township zoning ordinance meeting. No public notice was published in the designated official county newspaper prior to the meeting. According to North Dakota Century Code, 58-0-3-13 the law requires advance public notice and a public hearing before a township adopts an amendment to its zoning ordinance.

Furthermore, the law states that notice to Harmony Township Supervisors or board members is not a substitute for the required public notice. The law is clear in stating interested parties and citizens must have an opportunity to be heard before a zoning amendment takes effect.

Additionally, at least 15 days' advance notice is required and lastly, the township board must state its reasons for approving or rejecting a zoning amendment, with written findings included in the official record.

The Cass County Reporter received from Ohnstad Twichell an email on July 23, for a request to publish on July 29 a Notice of Second and Final Passage of the Harmony Township Amended Zoning Ordinance; a week after the meeting took place and the township acted on the amendment.

The July 29 legal notice in the Cass County Reporter stated a certified copy of the zoning Ordinance was available for public inspection and copying upon request. The Cass County Reporter, having received the publication notice July 23, made a request to Harmony Township Chairman Tom Roden on July 27, to receive a copy of the ordinance change.

In response, Roden said he was waiting to get the clean copy back from the attorney and that once he had that, he would fulfill the open records meeting request. He noted the only version he had at that time, was not complete and approved by the Township.

The newspaper to date has not receive a copy of the ordinance change from Roden. The Cass County Reporter also requested from zoning administrator Michael Blevins, The names of those who were appointed to the Harmony township zoning committee which by law requires townships to have a zoning committee comprise of three supervisors and two residents who review zoning changes, prepare a preliminary report, hold public hearing, make a final recommendation to the township supervisors and provide written finding of zoning decisions.

Blevins responded to the request on September 21, stating he copied Harmony Township Attorney Sarah Wear with Ohnstad Twichell.

"I've copied Sarah, the township attorney who can speak to the legal question you are asking,"Blevins replied in an email.

The newspaper has received no further correspondence from Wear to date.

On July 28, an attorney with Fredrik-

See **PSC HEARING** on A9

PSC HEARING continued from A5

son & Byron, representing Geronimo Power, notified the North Dakota Public Service Commission of the zoning changes to the Harmony Solar zoning ordinances. That notice was made via an email and Federal Express letter to North Dakota PSC Executive Secretary Brian Johnson. The letter stated that Harmony Storage, LLC was associated with the already permitted Harmony Solar Project and, on that basis, was authorized as a permitted use in Harmony Township.

The zoning amendment made to Harmony Township's zoning ordinances on July 21, matched the claim made in the letter from Geronimo Power's attorney. The ordinance change addressed the proposed battery storage facility stating it qualified as a permitted use under local zoning regulations.

On Sept. 9, the PSC voted to deem Harmony Storage LLC's application complete, according to the reported meeting action. That determination was a procedural step in the commission's review process, not a final decision approving the project.

A 10 a.m., public hearing on the application from Harmony Storage, LLC is scheduled Friday, Oct. 23 at the Days Inn Hotel & Govenor's Water Park at 2050 Governor's Dr. in Casselton ND.

The zoning ordinance timeline, the reason for the change, and lack of public hearing, leaves several questions for township officials and project representatives .

The answers may help clarify how the amendment was developed, what opportunities the public had to participate and how the change affected the project's status under township zoning regulations.

These and other issues will likely addressed through public questions and testimony at the Oct. 23 hearing.

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eeting Geronimo Power represen-
sented briefly to the board the tax
the proposed project.
ttendance were several rural Cass
idents, some from Harmony Town-
spoke during a public comment pe-
g the board not to approve the letter.
t letter acknowledged that the pro-
mony Energy Park, which includes
gy, battery storage and data center
ts, had the potential to generate ad-
ng-term tax revenue for local taxing
cluding Central Cass Schools.
, the proposed statement also in-
guage specifying that it should not
ed as an endorsement or opposition
ect.
he disclaimer, some board mem-
ssed concerns during the October 12
at issuing the letter could be per-
n endorsement of the development.
g opinion existed with some Board
n support of approving the letter and
stioning the necessity and purpose
r, noting the district could recog-
oject's potential financial benefits
rmally approving a statement that
nterpreted as support for Geronimo
oposed project.
t also stated that decisions con-
strict budgets, staffing, educational
ing, facilities and tax levies would
ely within the authority of the school

ally, the letter specified that it did
s zoning, permitting, land use, envi-
matters or other regulatory approv-
ted with the proposed development.
g discussion, a motion to approve
ailed on a roll call vote. Those vot-
port of the letter were Kyle Schultz,
er and Board President Joe Morken.
osed were Paul Olsen, Chris Kittle-
Plante and Shannon White.
d motion means the proposed letter
opted as an official statement of the
ss School Board. It does not, how-
itute a formal position of opposition
y Energy Park.

COURTESY PHOTO JOHN HEJL

Beet harvest is concluding in Rural Cass County under colored skies. Stock pile harvest started oct 2. The Amenia Piler finished this past Saturday, Oct 17. Some piling sites are still open.

Geronimo Power stresses dialogue as Harmony Township weighs moratorium

By Angela Kolden
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Following an Oct. 13 public forum presentation at Grand Farm, Geronimo Power CEO Blake Nixon said one of the main takeaways from the event came in the form of a conversation he had with a Harmony Township resident.

The resident was under the impression that the potential data center project proposed by Geronimo Power was already had permitted and approved.

Nixon used the conversation to highlight what is in some instances an existing community misperception.

That misperception points to the need for conversations to be allowed to continue. Something he said could not happen if Harmony Township passes a proposed 24-month zoning moratorium on energy development at an October 22 public hearing.

Geronimo Power said it wants to make clear to the public that a permit application is not the same as receiving approval.

"Geronimo Power submitted its Conditional Use Permit (CUP) application on September 15, 2026 which initiates a review process that includes opportunities for public input, a public hearing and ultimately a decision by the Township Board of Supervisors," Nixon said.

He added, conversations with Harmony Township residents have reinforced how deeply people care about their community and its future.

"We respect that commitment and appreciate everyone who has taken the time to learn about the project, ask questions, raise concerns and share their perspectives," Nixon said. "From smaller community gatherings to last week's Data Center Forum, these have been productive opportunities for two-way dialogue. We're listening, learning and gaining a better understanding of local priorities as the project moves forward."

Nixon said Geronimo Power is aware of the range of opinions about development, and is committed to continuing conversations and ensuring residents have meaningful opportunities to help shape the project.

At the recent public forum, Nixon asked those in attendance to sign a petition challenging the proposed Harmony Township Development Moratorium. The petition asked individuals to select one of two options; opposing the proposed moratorium or limiting a moratorium to six months.

The Cass County Reporter requested the petition results from Geronimo Power, but the information was not provided.

In addition to the petition, the developer launched two polls to gain an understanding of how the community wants the green space around the buildings to look and where developer charitable donations should go.

An informal advisory committee, whose members have not yet been identified publicly, have advised Geronimo on three $10k donations made to non-profits as part of its 2026 gifting program.