STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Harmony Storage, LLC **Case No. PU-26-284**
Harmony Storage Project – Cass County
Siting Application

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

_____, 2026

Appearances

Commissioners Randy Christmann, Sheri Haugen-Hoffart, and Jill Kringstad.

Hope L. Hogan, Administrative Law Judge, Office of Administrative Hearings, 2911 North 14th Street – Suite 303, Bismarck, ND 58503, as Procedural Hearing Officer.

Travis Iversen, Special Assistant Attorney General, on behalf of the North Dakota Public Service Commission, 600 E Boulevard Ave, Dept 408, Bismarck, ND 58505.

Mollie M. Smith and Bridget A. Duffus, Fredrikson & Byron, P.A., 60 South Sixth Street, Suite 1500, Minneapolis, MN 55402, on behalf of the Applicant, Harmony Storage, LLC.

Preliminary Statement

On July 10, 2026, Harmony Storage, LLC (Harmony Storage) filed an Application for a Certificate of Site Compatibility (Application) for an up to 200 megawatt (MW) battery energy storage system (BESS) with a four-hour duration (800 MW-hours (MWh)) known as the Harmony Storage Project (Project) to be located in Cass County, North Dakota.

On July 28, 2026, Harmony Storage filed an update related to local zoning.

On August 27, 2026, the North Dakota Public Service Commission (Commission) Staff issued a Notification of Application.

On August 31, 2026, an email was filed providing updated Harmony Township contact information.

On September 9, 2026, the Commission issued a Notice of Filing and Notice of Public Hearing (Notice), scheduling a public hearing for October 23, 2026, at 10:00 a.m. Central Time at the Days Inn Hotel & Governor's Waterpark, RV Park & Fitness Center, 2050 Governor's Dr., Casselton, North Dakota 58012. The Notice identified the following issues to be considered:

1. Will the construction, operation, and maintenance of the proposed facility at the proposed location produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?

2. Is the proposed facility compatible with the environmental preservation and the efficient use of resources?

3. Will the construction, operation, and maintenance of the proposed facility at the proposed location minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

On September 11, 2026, the Office of Administrative Hearings designated Administrative Law Judge (ALJ) Hope Hogan as the hearing officer.

On October 14, 2026, Harmony Storage filed the following Hearing Exhibit Nos. 1-9-A: (1) Application (provided separately); (2) Project Figure; (3) Project Receptor Chart; (4) Class III Cultural Resource Inventory Report [public]; (5) State Historical Society of North Dakota (SHSND) Correspondence; (6) Agency Correspondence Regarding Vegetation Management Plan; (7) Signed Certification Relating to Order Provisions – Energy Conversion Facility Siting (Certification) with accompanying Tree and Shrub Mitigation Specifications; (8) Maddy Doeden Prefiled Direct Testimony; (8-A) Maddy Doeden Resume; (9) Andrew Larson Prefiled Direct Testimony; and (9-A) Andrew Larson Curriculum Vitae.

On October 14, 2026, Harmony Storage also filed an Application for Protection of Information related to cultural resource location information.

On October 22, 2026, the North Dakota Department of Environmental Quality (NDDEQ) filed correspondence in the docket.

On October 23, 2026, the public hearing was held as scheduled. At the hearing, public testimony handouts were added as Exhibit No. 10.

On November 13, 2026, Harmony Storage filed proposed Findings of Fact, Conclusions of Law and Order.

Having allowed all interested persons an opportunity to be heard and having heard, reviewed, and considered all testimony and evidence presented, the Commission makes its:

FINDINGS OF FACT

1. Harmony Storage is a wholly owned subsidiary of Geronimo Power, LLC (Geronimo), a renewable energy development company headquartered in Bloomington, Minnesota.

2. Harmony Storage is a Delaware limited liability company authorized to do business in the State of North Dakota, as evidenced by the Amended Certificate of Authority issued by the North Dakota Secretary of State on October 24, 2025, and the Certificate of Good Standing issued by the North Dakota Secretary of State on June 10, 2026 (Case No. PU-26-221).

3. The Project will be constructed, owned, and operated by Harmony Storage.

Size, Type, and Preferred Location of Facility

4. The Project will be an up to 200 MW, four-hour duration BESS equating to 800 MWh of storage capacity.

5. Harmony Storage proposes to construct the Project within approximately 74 acres of land located in Harmony Township in Cass County, North Dakota (Project Area). Harmony Storage requests that the Project Area as depicted on Figure 2 to the Application (Hearing Exhibit No. 1) be designated as the site for the Project. .

6. The Project consists of containers that house energy storage (battery) modules containing lithium-ion battery cells, as depicted in Image 3 of Hearing Exhibit No. 9. Each module has a battery management system (BMS) that continuously monitors and regulates critical parameters and a Power Conversion System (PSC) that converts the direct current (DC) energy stored within the battery modules to alternating current (AC) energy suitable for grid integration.

7. Other Project components include: inverters and transformers; electrical collection and communication lines; gravel access roads; stormwater management facilities; on-site maintenance infrastructure areas; a laydown area; a supervisory control and data acquisition (SCADA) system; security fencing; and associated temporary facilities.

8. Based on current design, the Project is anticipated to require minimal augmentation (added battery modules). In the event augmentation were needed, the Project's design, impact calculations, and studies accounted for the maximum potential augmentation. Specifically, the design anticipates approximately 264 initial battery containers plus an additional 50 augmentation containers for a total of 314 containers, which represents the maximum number of potential battery containers. The actual final number of containers is dependent on final design and available technology.

9. The Project will interconnect to the Harmony Solar Project's collection substation (see Case No. PU-18-219) via the Project's 34.5 kV underground electrical collection

system. The collection substation is connected via a short tie-line to the existing Bison Substation, owned by Northern States Power.

10. The Project can receive and store surplus energy from the Harmony Solar Project or excess energy from the grid, and can transmit that stored energy to the grid when additional energy is needed.

11. Harmony Storage executed a Surplus Generator Interconnection Agreement (GIA) with the Midcontinent Independent System Operator (MISO) and Northern States Power on June 23, 2026. The Surplus GIA is subordinate to the Harmony Solar Project's GIA, and the two projects are collectively authorized to inject up to 200 MW onto the grid.

12. Project construction is anticipated to begin as early as the second quarter of 2027 with commercial operation anticipated in the fourth quarter of 2028.

13. The estimated cost of the Project is approximately $249 million.

Study of Preferred Location

14. Harmony Storage reviewed the Project Area plus a one-mile buffer comprising approximately 3,079 acres (Study Area) and conducted the following studies and surveys: acoustic assessment; Class I and Class III cultural resource inventories; wetlands and waterbodies inventory; and a field survey for protected species and habitat.

15. The Class III inventory report, which included the Class I literature search results, was submitted to SHSND. SHSND provided an acceptance letter for the Class III report, dated August 31, 2026 and provided in Hearing Exhibit No. 5. The Class III archaeological survey identified one previously unrecorded historic archaeological site within the Project Area. This site is unevaluated for National Register of Historic Places (NRHP) eligibility. In accordance with SHSND recommendations, Harmony Storage will avoid this unevaluated site by at least 50 feet.

16. No woodlands are located in the Project Area. As such, no impacts to woodlands will result from the Project.

17. Harmony Storage conducted a wetlands and aquatic resources delineation survey. Harmony Storage designed the Project to avoid impacts to wetlands. Where collection lines intersect a wetland, impacts will be avoided by boring beneath the wetland.

18. Harmony Storage conducted a field survey to evaluate potential habitat for the Monarch butterfly and Suckley's cuckoo bumble bee, as well as a field review for eagle and raptor nests. No potentially suitable habitat for the Suckley's cuckoo bumble bee was identified. Potentially suitable Monarch butterfly habitat is limited to road ditches and areas adjacent to water resources, as the majority of the Project Area is cultivated cropland. No eagle or raptor nests were observed within the Project Area. Based on the

analysis conducted, the Project is not anticipated to adversely affect protected wildlife species.

19. Harmony Storage performed sound modeling for the Project, and the results indicate that the sound from the Project is expected to be 40 dBA or less within 100 feet of the closest inhabited residence or community building. Based on the modeling conducted, the Project complies with Harmony Township's requirement that sound levels from a BESS may not exceed 45 dBA within 100 feet of an inhabited residence or community building.

20. North Dakota Century Code (NDCC) Section 49-22-16(4) provides that a site shall not be designated that violates the rules of any state agency, and that compliance with an agency's rules shall be presumed if the agency fails to present its position with respect to the proposed facility at the public hearing. Harmony Storage sent coordination letters to the federal, state, and local departments, agencies, and entities designated in North Dakota Administrative Code (NDAC) Section 69-06-01-05, as well as engaging in other agency/entity communication regarding the Project. The federal, state, and local departments, agencies, and entities that were consulted and provided comment are as follows:

a. Federal – U.S. Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS); U.S. Army Corps of Engineers; and U.S. Fish and Wildlife Service.

b. State – NDDEQ; North Dakota Department of Transportation (NDDOT); North Dakota Department of Water Resources; North Dakota Game and Fish Department; North Dakota Geological Survey; North Dakota Department of Agriculture (NDDA); and SHSND.

c. Local – Harmony Township; Cass County Weed Board.

21. Agency consultations and comments are noted in Appendix J to the Application.

22. NDCC Section 49-22-16(2)(a) provides that no energy conversion facility site shall be designated that violates any local land use, zoning, or building rules, regulations, or ordinances. Under Harmony Township's zoning ordinance, a BESS associated with an already-authorized use is a permitted use in the Agricultural District. The Project is associated with the already-permitted Harmony Solar Project.

Siting Criteria

23. The Commission has established criteria pursuant to NDCC Section 49-22-05.1 to guide the Commission in evaluating the suitability of granting a Certificate of Site Compatibility. The criteria, as set forth in NDAC Section 69-06-08-01, are classified as Exclusion Areas, Avoidance Areas, Selection Criteria, and Policy Criteria.

24. Harmony Storage evaluated the Project with respect to the Exclusion Area, Avoidance Area, Selection, and Policy Criteria.

25. An Exclusion Area is a geographic area that must be excluded in the consideration of a site for an electric energy conversion facility. There are no Exclusion Areas within the Project Area.

26. An Avoidance Area is a geographic area that may not be approved as a site for an electric energy conversion facility unless the applicant demonstrates that under the circumstances there is no reasonable alternative. In determining whether an Avoidance Area should be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts; the orderly siting of facilities; system reliability and integrity; the efficient use of resources; and alternative sites.

27. One cultural resource that is unevaluated for NRHP-eligibility is present within the Project Area, but Harmony Storage has sited Project facilities to avoid this resource by at least 50 feet, in accordance with SHSND recommendations. An Unanticipated Discoveries Plan (UDP) has been developed for the Project and was reviewed by SHSND.

28. Approximately 1.8 acres of Federal Emergency Management Agency (FEMA) 100-year floodplain are located within the Project Area. Project facilities have been sited to avoid FEMA 100-year floodplains, and no impacts are anticipated.

29. Wetlands are present within the Project Area, but the Project has been sited to avoid impacts to wetlands. Where collection lines would intersect a wetland, impacts will be avoided by boring or horizontal directional drilling beneath the wetland.

30. No other Avoidance Areas are present in the Project Area.

31. In accordance with the Commission's Selection Criteria, outlined in NDAC Section 69-06-08-01(5), a site may be approved if it is demonstrated that any significant adverse effects resulting from the location, construction, and operation of the energy conversion facility will be at an acceptable minimum or that the effects will be managed and maintained at an acceptable minimum.

32. Harmony Storage selected the Project site based on its proximity to the Harmony Solar Project and the ability to utilize Harmony Solar Project's interconnection facilities. By siting the Project near existing infrastructure, Harmony Storage minimized the

Project's footprint, thereby minimizing potential impacts on the environment and surrounding community.

33. The Project will not have significant adverse impacts on public services or health and safety in the affected area.

34. During the construction phase, the Project may result in a temporary increase in traffic on public roads. Harmony Storage will coordinate with Harmony Township, the Cass County Highway Department, and NDDOT to obtain any necessary permits and approvals for the use of township and county roads during construction. Harmony Solar will enter into a road use and maintenance agreement, as needed, with the appropriate road authorities. During operation, no adverse effects to transportation facilities or networks are anticipated.

35. Harmony Storage submitted evidence to demonstrate that any significant adverse effects resulting from the location, construction, and operation of the Project as they relate to the Selection Criteria set forth in NDAC Section 69-06-08-01(5) will be at an acceptable minimum or managed and maintained at an acceptable minimum.

36. In accordance with the Commission's Policy Criteria, preference may be given to an applicant who would maximize the benefits resulting from adopting policies and practices outlined in NDAC Section 69-06-08-01(6). Harmony Storage submitted evidence to demonstrate its commitment to maximize the benefits of the proposed energy conversion facility as far as is possible to meet the Policy Criteria set forth in NDAC Section 69-06-08-01(6).

Additional Measures to Minimize Impacts

37. The Project design includes multiple safety systems: (1) physical thermal barriers within each battery module (to prevent cell to cell propagation), around each battery module, between the battery modules and other equipment in the container, and between the internal equipment and external equipment (the containers); (2) a battery management system that continuously monitors and regulates critical parameters of each battery module and enables isolation and shut-down in the event of an emergency; (3) a battery management system that continuously monitors and regulates critical parameters of each container and enables isolation and shut-down in the event of an emergency; (4) a separate fire monitoring system as an additional layer of detection and response; and (4) the Geronimo Power control center, which monitors the facility 24 hours a day, 7 days a week, 365 days a year via the Project's SCADA system.

38. The SCADA and associated systems will monitor key battery metrics, including the state of charge, battery health, current voltage, temperature, and alarm indicators for off-normal conditions. In the event of an anomaly or issue with a battery unit, the SCADA system will immediately alert trained personnel in the area. If necessary, the BESS can be remotely shut down.

39. Harmony Storage has prepared a draft Emergency Response Plan (ERP), as provided in Appendix C to the Application (Hearing Exhibit No. 1). Harmony Storage has engaged, and will continue to engage, with local first responders and fire officials to coordinate response efforts in the unlikely event of a fire. This coordination includes providing the final Project layout once key design details and access points have been established and conducting emergency response training prior to commissioning the Project and on an ongoing basis throughout the life of the Project.

40. The Project is designed and will be constructed in compliance with applicable safety codes, including the International Fire Code, the National Electrical Code (NFPA 70), and NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems).

41. Harmony Storage has developed a Vegetation Management Plan for the Project, provided as Appendix E to the Application (Hearing Exhibit No. 1). The Vegetation Management Plan addresses seed mix and seeding specifications, as well as noxious weed control measures and considerations. The USDA - NRCS, NDDA, and the Cass County Weed Board have reviewed the Project's VMP.

42. Harmony Storage will employ best management practices to minimize impacts to ground and surface waters. The Project avoids impacts to wetlands and other waterbodies. Harmony Storage will prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to construction and implement erosion control measures consistent with the SWPPP and National Pollutant Discharge Elimination System permit requirements.

43. Harmony Storage will submit a harmonics study for the Project prior to beginning construction.

44. There are no existing local or state rules or regulations governing the Project's decommissioning. At the public hearing, Harmony Storage testified it will submit a decommissioning plan and decommissioning financial assurance to the Commission in accordance with the Commission's existing rules governing solar energy conversion facility decommissioning and financial assurance requirements under NDAC Chapter 69-09-10.

From the foregoing Findings of Fact, the Commission now makes its:

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this proceeding under NDCC Chapter 49-22.

2. Harmony Storage is a utility as defined in NDCC Section 49-22-03(16).

3. The Project proposed by Harmony Storage is an electric energy conversion facility as defined in NDCC Section 49-22-03(6).

4. The location, construction, and operation of the Project will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.

5. The Project will minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring energy needs are met and fulfilled in an orderly and timely fashion.

6. The Project is compatible with environmental preservation and the efficient use of resources.

From the foregoing Findings of Fact and Conclusions of Law, the Commission now makes its:

ORDER

The Commission orders:

1. Certificate of Site Compatibility No. ___ for an Energy Conversion Facility is issued to Harmony Storage, LLC for the construction, operation, and maintenance of a battery energy storage system corresponding to the Project Area depicted in Figure 2 of the Application (Hearing Exhibit No. 1).

2. Within the permitted site, Harmony Storage is authorized to site and construct up to 314 battery containers and 62 PCS, along with BMS, inverters, transformers, electrical collection and communication lines, and other ancillary facilities such as fencing, a laydown area, access roads, stormwater management facilities, and associated temporary facilities.

3. To the extent there are any conflicts or inconsistencies between Harmony Storage's Application and the Certification, the Certification provisions control.

4. Prior to commencing construction of any portion of the Project, Harmony Storage shall obtain all other necessary licenses and permits for the construction of such portion and provide copies to the Commission.

PUBLIC SERVICE COMMISSION

Sheri Haugen-Hoffart	***Randy Christmann***	***Jill Kringstad***
Commissioner	***Chair***	***Commissioner***