

Cheyenne River Sioux Tribe
Crow Creek Sioux Tribe
Flandreau Santee Sioux Tribe
Oglala Sioux Tribe



Rosebud Sioux Tribe
Standing Rock Sioux Tribe
Yankton Sioux Tribe

THE OCETI SAKOWIN POWER AUTHORITY

**RESPONSES TO
THE INTERCONNECTION INNOVATION e-XCHANGE'S
REQUEST FOR INFORMATION:
TRANSMISSION SYSTEM INTERCONNECTION ROADMAP DRAFT**

November 22, 2023

OCETI SAKOWIN POWER AUTHORITY

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**THE OCETI SAKOWIN POWER AUTHORITY
RESPONSES TO
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The Oceti Sakowin (pronounced O-CHET-ee Sha-KO-wee) Power Authority (OSPA) submits its Responses to the i2X Request for Information in DE-FOA-0003220 dated October 25, 2023 (RFI). As discussed below, OSPA lauds the i2X Staff for the creative thought, extremely hard work, and unprecedented stakeholder outreach that they have demonstrated consistently since the i2X project was initiated. However, in these Responses, OSPA must highlight a number of areas in which the Roadmap does not adequately address the challenges facing Indian Energy developers. OSPA is a Tribal utility-scale energy developer – a nascent class of developers that has arisen only over the past few years, with unique assets and challenges, and presenting unique opportunities to develop enormous renewable energy resources in parts of the country that have been left behind for generations. OSPA responds to the i2X Request for Information, and offers some additional Goals and Solutions to address the unique challenges faced by developers of Indian Energy. The numbering of the headers and subheaders below follows the numbering of the questions in the RFI.

I. PART 1: RESPONDENT TYPE

1. What Type of Entity Does the Oceti Sakowin Power Authority Represent?

The Oceti Sakowin Power Authority (OSPA) was formed by, and is owned 100% by, seven Sioux Tribes that share territory with the states of South and North Dakota – the Cheyenne River, Crow Creek, Flandreau Santee, Oglala, Rosebud, Standing Rock and Yankton Sioux Tribes. OSPA has a single purpose: to jointly develop the Tribes’ renewable resources through utility-scale and community-scale projects located within the reservations of the member Tribes (referred to as “Indian Energy” in these Responses). OSPA is a federally-chartered “Section 17” corporation, formed under 25 U.S.C. § 5124 and certified by the U.S. Department of the Interior in 2015. OSPA meets the definition of Tribal Energy Development Organization (TEDO) in 25 C.F.R. § 224.30 (definition 1).

2. What is OSPA’s Involvement and Interest in Interconnection to the Electricity Transmission System?

A. OSPA Is Now Developing Its First Two Utility-Scale Wind Farms

Over the last five years, OSPA has completed early-stage development of its first two projects: the 450 MW Ta’teh Topah (Four Winds) wind farm on the Cheyenne River Reservation, and the 120 MW Pass Creek wind farm on the Oglala Pine Ridge Reservation. Both wind farms could be substantially larger, but the original design of the projects was constrained by available transmission capacity. OSPA is now actively exploring whether we can increase the size of both wind farms. These are OSPA’s first of multiple projects – OSPA is mandated in its charter to develop utility-scale and community-scale wind and solar projects on the reservations of all its member Tribes.

B. The OSPA Member Tribes Possess Enormous Wind Power Capacity

After five years of wind resource data collection, the Ta’teh Topah and Pass Creek wind farms consistently demonstrate net capacity factors over 50% – the Tribes possess some of the strongest and most reliable on-land wind resources in the U.S. Moreover, the reservations of the seven OSPA member Tribes cover more than 14,000 square miles – almost 20% of the total land area of South Dakota. See Map 1, below. The three largest Tribes by land area – Cheyenne River, Oglala, Standing Rock – each have more land area than the states of Rhode Island and Delaware combined. Moreover, the largest Tribes by land area are contiguous with other OSPA Tribes and together cover massive land areas. See Chart 1, below.

MAP 1: THE OSPA MEMBER TRIBES



CHART 1: LAND AREAS FOR LARGEST CONTIGUOUS TRIBES

Tribal Reservation Pairs	Contiguous Area
Cheyenne River & Standing Rock	~ 7,850 sq. mi.
Oglala Pine Ridge & Rosebud	~ 5,450 sq. mi.

II. PART 2: FEEDBACK ON THE DRAFT INTERCONNECTION ROADMAP

1. Please Provide Feedback on the Purpose of the Roadmap. Is It Missing Any Concepts?

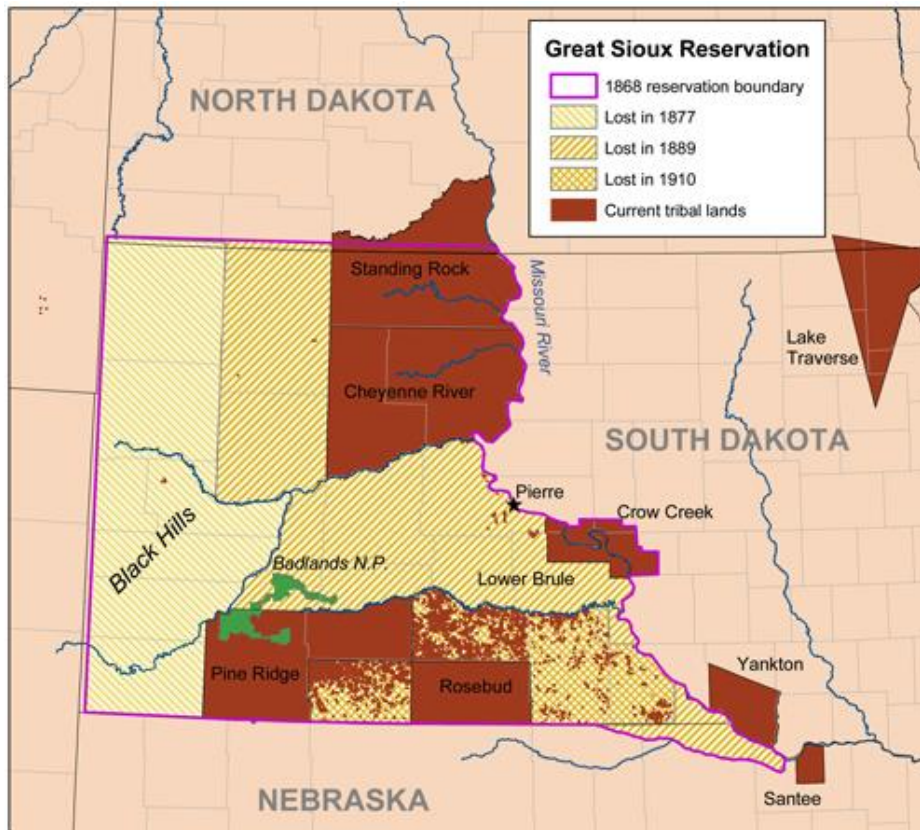
A. The Roadmap Does Not Recognize the Uniqueness of Utility-Scale Indian Energy; It Can Start with Adding a Definition and Using the Term

Indian Energy is fundamentally different from other energy generation projects because it must be developed in a fixed location – the Tribal reservations. Unlike other developers, Indian Energy developers don't have the ability to select locations where transmission costs are low, or PPA prices are high. The necessary infrastructure for access to the National Power Grid must be on or near the reservations. OSPA asks that the Roadmap specifically include in its Glossary the term "Indian Energy," defined as "the development of utility-scale or community-scale energy by Tribes or Tribally-designated developers within the external boundaries of one or more Tribal reservations." Throughout these Responses, OSPA recommends Goals and Solutions specific to Indian Energy.

B. The Roadmap's Search for Market-Based Solutions Is Misplaced in the Case of Indian Energy – No Market Solutions are Available Because the Barriers to the Development of Utility-Scale Indian Energy Reflect a Profoundly Distorted Market Caused by Generations of Anti-Indian Governmental Policies

We won't recount the history of the current reservation system, from the Treaty of 1868 that granted the land of South Dakota west of the Missouri River to multiple Tribes (including the OSPA member Tribes), to the unlawful forceful taking of most of that land following the discovery of gold in the Black Hills. Or the impacts of the federal Dawes Act, which resulted in massive non-Indian ownership of land within the Reservation boundaries. Or the federal Pick Sloan electrification program, which built hydropower dams along the Missouri River at the expense of flooding hundreds of thousands of acres of Tribal land – 201,158 acres among the OSPA member Tribes alone.¹ Map 2, below, shows the impacts of these federal policies.

¹ Lawson, Michael L., *Dammed Indians Revisited* (2009), at 286.

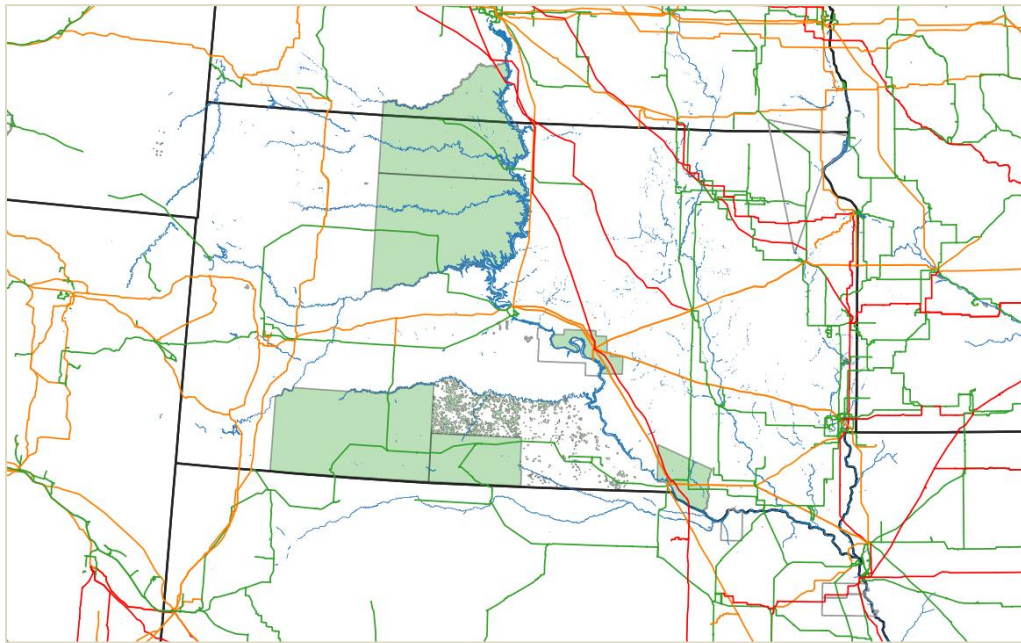


**MAP 2:
TRIBAL LAND LOST
AS A RESULT OF
UNLAWFUL TAKINGS
AND ANTI-INDIAN
FEDERAL POLICIES**

These federal policies have isolated and limited the economic opportunities of the Tribes and resulted in a lack of investment in the infrastructure on the reservations and in much of the surrounding area. This has led to a transmission desert that covers South Dakota west of the Missouri River. See Map 3, on next page. The lack of available transmission has proven to be an effective barrier to the development of utility-scale wind farms in this area – only one wind farm has been built in the western half of South Dakota to date, just 103 MW (or 4%) of the 2.9 GW installed in the entire state.² See Map 4, on next page. This reality is the result of governmental policies, not free market forces, and there are no free-market fixes without remediation by governmental policies first. The Roadmap can help address this problem by identifying data sources and structuring analytics that will identify market failures caused by government policy, and that can be used to direct federal funding into the remediation that’s needed. OSPA addresses some specifics for such analytics in its responses to Question 4 below.

² <https://puc.sd.gov/energy/Wind/project.aspx>

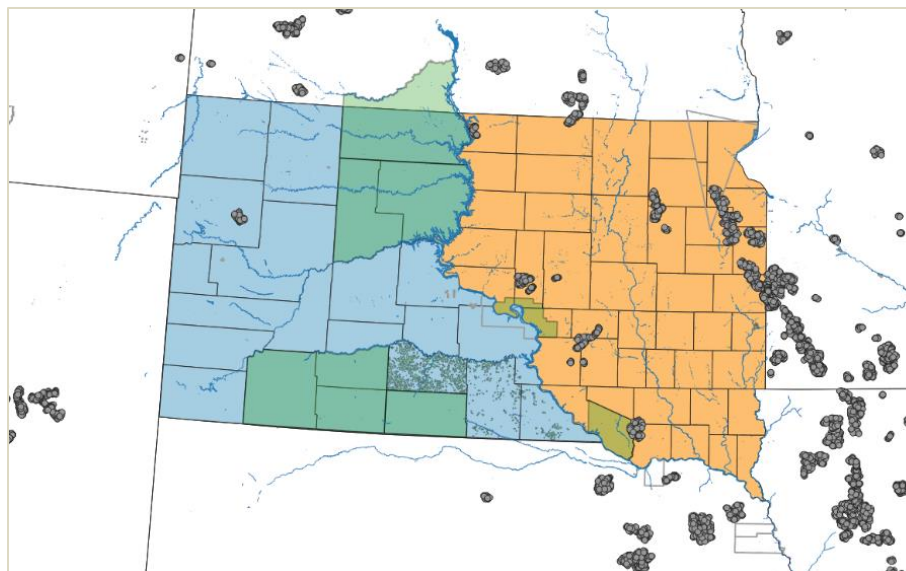
MAP 3: THE TRANSMISSION DESERT OF WESTERN SOUTH DAKOTA, WHERE THE TRIBES ARE



Transmission Lines: ——— 115 kV ——— 230 kV ——— 345 kV

Data Source: Homeland Infrastructure Foundation-Level Data, 12/14/2022 dataset, <https://hifld-geoplatform.opendata.arcgis.com/>

MAP 4: THE IMPACT OF THE TRANSMISSION DESERT WEST OF THE MISSOURI RIVER ON WIND FARM DEVELOPMENT IN SOUTH DAKOTA



Installed Wind Turbines in South Dakota for Utility-Scale Projects (≥ 10 MWs)

Wind Turbine Data Source: U.S. Geological Survey <https://eerscmap.usgs.gov/uswtdb/>

C. The Roadmap's Reliance on Broad Consensus Among Stakeholders Does Not Account for Competing Priorities and Interests – Planning and Execution of Grid Upgrades Among More Granular Communities with Common Interests Is Necessary to Promote Indian Energy Development

OSPA is grateful to be able to participate in the i2X workshops, but they largely confirmed what OSPA already knew – the ISO/RTOs and the largest developers dominated the discussions, and none had any contributions relevant to Indian Energy developers. This is fully to be expected – they are privately owned entities whose job is to promote the interests of their owners/shareholders, not social justice.

The Joint Targeted Interconnection Queue (JTIQ) project of SPP and MISO is a case in point. It's an impressive undertaking – the project will invest nearly \$2 billion (including a \$464 million DOE grant) in a massive program to upgrade and expand the National Power Grid. SPP/MISO's drawing of the JTIQ transmission expansion is copied in Map 5, below.



**MAP 5:
SPP/MISO-PRODUCED MAP
SHOWING NEW TRANSMISSION
CONSTRUCTION BEING PROPOSED AS
PART OF THE JTIQ PROJECT**

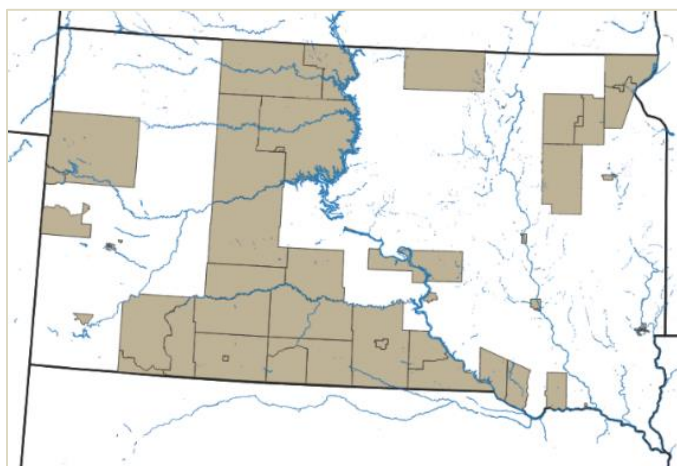
The new transmission runs down the eastern borders of North Dakota, South Dakota, Nebraska and Kansas.

Source:
<https://www.spp.org/engineering/spp-miso-jtiq/>

This massive Grid improvement was designed in part to provide more capacity along the eastern border of South Dakota – where substantial transmission already exists, and where dozens of wind farms have already been built. Compare the location of JTIQ lines in Map 5,

above, with, with Map 4 (on page 5), which shows turbine installations in the same area. This reflects the joint decision by SPP and MISO to build more transmission in areas that already have a high concentration of installed clean energy projects. Indeed, in one of the i2X workshops, a MISO representative explained the rationale: the RTOs will plan a massive transmission corridor and provide incentive for developers to build future wind farms within that corridor.

This approach makes excellent economic sense – if you’re an RTO/ISO or major developer who can site wind farms where transmission is available and cheap. But it excludes Indian Energy – the JTIQ corridor projects are on the other side of the state from the largest land-based OSPA Tribes, 200 miles away or more. Moreover, the new JTIQ lines have almost no contact with any disadvantaged communities, despite the fact that communities constituting almost 40% of South Dakota have been designated DACs by this Administration. Compare Map 6, below, showing the Disadvantaged Communities in South Dakota, with the JTIQ routes shown in Map 5 (on page 6).



MAP 6

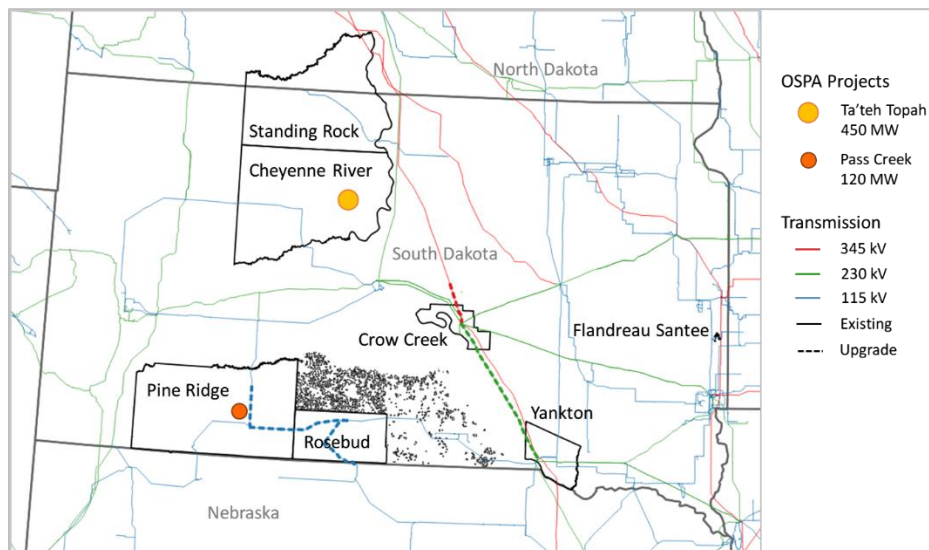
**DISADVANTAGED COMMUNITIES
(DACs) IN SOUTH DAKOTA**

Source: White House Council on Economic Justice, Climate and Economic Justice Screening Tool, 11/22/2022 dataset

<https://screeningtool.geoplatform.gov/en/downloads#5.34/20.213/->

The Roadmap includes a Solution that starts to address this problem. Solution 3.4 discusses “Incorporat[ing] equity goals in transmission planning efforts,” and Table 23 proposes facilitating planning sessions between Power Marketing Administrations and Tribes. OSPA wholeheartedly agrees, and we discuss this issue further in § II(4) below. In OSPA’s case, that smaller community of common interests will include WAPA and local co-ops serving the Tribes. The WAPA network transits most of the OSPA Tribes – indeed, the SPP DISIS study that was conducted for OSPA’s interconnection application (which was withdrawn because of the massive network upgrade costs assigned by SPP) calls for rebuilding WAPA facilities across the reservations of four OSPA member Tribes. The transmission routes that SPP identified are shown in Map 7 on the following page. The cost allocations from SPP’s upgrades are shown in Chart 2 on the following page. WAPA and the OSPA Tribes have a common interest in upgrading and expanding the WAPA network as needed to provide Grid access at reasonable

rates to Tribal Energy projects developed across all of the OSPA member Tribes’ reservations. Similarly, upgrading the WAPA network serving the OSPA member Tribes will provide an opportunity to improve the resiliency and reliability of the distribution networks of the small rural co-ops that serve the Tribes and surrounding communities – OSPA has already had discussions with one of the largest such co-ops, focused on coordinating network upgrades to provide for backup and redundancy for local transmission lines particularly prone to weather-related outages. OSPA believes these planning efforts should be an immediate priority.



MAP 7:
NETWORK UPGRADES FOR
OSPA WIND FARMS, FROM
SPP DISIS PHASE 2 STUDY

CHART 2: COST ALLOCATIONS TO OSPA WIND FARM PROJECTS, FROM SPP DISIS PHASE 2 STUDY

Transmission Owner	Allocated Cost	Interconnection	Therm/Volt Constraint	Stability Constraint
Costs Allocated to Pass Creek Wind Project (Pine Ridge)				
WAPA	\$48,648,464	\$1,862,000	\$46,786,464	\$0
NPPD	\$32,176,005	\$0	\$32,176,005	\$0
Total	\$80,824,470	\$1,862,000	\$78,962,470	\$0
Costs Allocated to Ta'teh Topah Wind Project (Cheyenne River)				
WAPA	\$73,743,700	\$0	\$62,361,832	\$11,381,868
BEPC	\$74,691,844	\$23,641,622	\$0	\$51,050,222
NPPD	\$146,788	\$0	\$146,877	\$0
Total	\$148,582,332	\$23,641,622	\$62,508,620	\$62,432,090

Source: https://opsportal.spp.org/documents/studies/files/2017_Generation_Studies/DISIS_Results_Workbook_DIS1702P2-PowerFlow_Stability_SC_FinalReport_08292022.xlsx

2. Please Provide Feedback on the Objectives and Goals of the Roadmap. Are There Missing Elements? Are the Most Urgent Interconnection Needs and Potential Solutions Addressed? What Additional Recommendations Should Be Considered?

A. Specific Solutions to Implement Justice40 Commitments and Promote EEJ Are Missing – Make Them Explicit Goals by Monetizing Justice40

As the Roadmap explains, President Biden established this Administration’s Justice40 commitment by Executive Order in January 2021, stating that the purpose is to ensure “directing 40% of the overall benefits from federal investments to flow to disadvantaged communities.” That commitment will be implemented by driving funding from the Bipartisan Infrastructure Law (BIL), the Inflation Reduction Act (IRA) and the American Rescue Plan to “covered programs” that are designed to “confront decades of underinvestment in disadvantaged communities”.³

WAPA, the other Power Marketing Administrations, and the DOE offices that administer grant and loan programs are all “covered programs” included in the Justice40 commitment.⁴ “All Justice40 covered programs are required to engage in stakeholder consultation and ensure that community stakeholders are meaningfully involved in determining program benefits.”⁵

The Roadmap (at page 4) demonstrates that it understands the unique challenges facing Indian Energy development, and it does propose Tribe-specific EEJ actions in Solution 3.4. But it errs in not identifying additional specific Indian Energy and other EEJ-related Goals and Solutions. The Roadmap can take a major step in implementing the Justice40 commitments by tracking EEJ-specific investments from the BIL and IRA programs, and tracking them as a percentage of the non-EEJ grants and loans that have been issued. To OSPA’s knowledge, the Administration has not established any mechanism for tracking and valuing Justice40 investments, and without such an accounting, it is impossible to determine whether DOE and other covered programs are meeting the Justice40 commitment.

For example, on October 18, DOE announced a grant award of \$464 million to fund the SPP/MISO JTIQ upgrades under the Grid Resilience and Innovative Partnerships program.⁶ As discussed above, that Grid investment will be made on the east side of South Dakota, hundreds of miles from the OSPA member Tribes. To meet the DOE’s Justice40 commitment, an amount

³ <https://www.whitehouse.gov/environmentaljustice/justice40/>

⁴ https://www.whitehouse.gov/wp-content/uploads/2023/04/Justice40-Covered-Programs-List_v1.4_04-20-2023.pdf

⁵ <https://www.whitehouse.gov/environmentaljustice/justice40/>

⁶ <https://www.spp.org/news-list/mn-commerce-department-and-regional-grid-operators-receive-464-million-from-us-department-of-energy-for-innovative-electric-grid-project/>

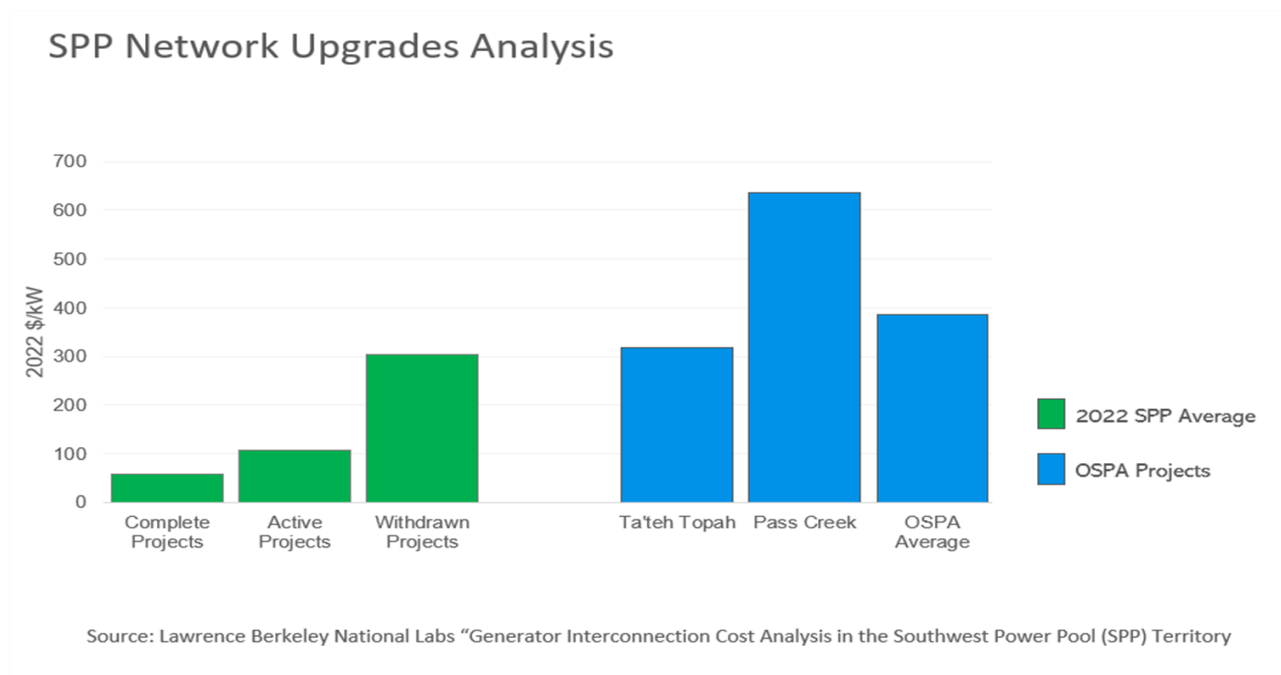
equal to 40% of the SPP/MISO grant – \$186 million – should be designated to construct Grid facilities that will directly benefit the Tribes, and allow for the development of Indian Energy in western South Dakota.

Of course, this amount is not nearly enough to eliminate the transmission desert of western South Dakota. But the BIL and IRA will fund two trillion dollars of investment. Identifying the investments from those sources that are subject to the Justice40 commitment, and identifying the infrastructure projects needed to eliminate the profound disadvantage of Indian Energy developers, is a necessary step in ensuring that the Administration’s commitment, and DOE’s Justice40 obligation, is being met.

B. Use the Roadmap to Develop Criteria for Awarding Federal Grants and Loans to Achieve Justice40 Goals

The data collection and analytics that are the focus of the Roadmap should be used to inform the DOE offices administering BIA/IRA-funded grants and loans, and these should be made available to other federal agencies as well – in particular, the Departments of Agriculture and the Interior. Here’s an example: Chart 3 below examines interconnection costs for various classes of energy generation projects, expressed as dollars/kW. It uses data from Lawrence Berkeley National Laboratory’s “Generator Interconnection Cost Analysis in the Southwest Power Pool (SPP) Territory” for 2020-2022.

CHART 3: COMPARISON OF SPP COST ALLOCATIONS TO OSPA WIND FARMS vs AVERAGE SPP COSTS



This chart shows an enormous disparity in the SPP cost allocations to the two wind farms on Tribal lands vs the average allocations to energy generators across the SPP territory⁷:

- Average interconnection cost for completed projects: \$57/kW
- Average interconnection costs for active projects: ~ \$100/kW
- Average interconnection costs for withdrawn projects: \$304/kW

- Cost for OSPA Ta'teh Topah 450 MW Wind Farm: \$318/kW
- Cost for OSPA Pass Creek 120 MW Wind Farm: \$635/kW
- Average SPP cost allocations to Indian Energy projects: \$385/kW

As Chart 3 demonstrates, Indian Energy development projects face a crushing disadvantage compared to the average generation project in SPP territory – indeed, SPP’s cost allocation to the Pass Creek wind farm is more than twice as high as the average cost for withdrawn projects. This cost burden – unique to Indian Energy projects in the transmission desert of western South Dakota, cannot be overcome without federal funding. Data collection and analytical tools to identify such discrepant burdens on Indian Energy is essential if the Administration’s Justice40 and EEJ commitments are to be fulfilled.

C. Make It Clear that the Search for Market Solutions Will Not Detract from Providing Real Help to Developers of Indian Energy

Roadmap proposed Solution No. 2.7 and Table 11 discusses considering “market-based approaches to rationing access” to interconnection. As discussed in § II(1)(B) above, there are no market solutions to overcome the impoverishment and absence of infrastructure imposed upon Tribes by generations of government-sponsored unlawful takings and underinvestment. In particular, any consideration of a competitive auction as a means of allocating scarce interconnection positions, as proposed by CASIO, must explicitly recognize that such an option would completely exclude developers of Indian Energy. No such proposals should be considered if they do not contain an answer to such exclusion.

4. What Are the Most Important Solutions and Key Activities Identified in the Roadmap? Which Solutions and Key Activities Should Be Prioritized (e.g., Short-term, Medium-term)? What, If Anything, Is Missing in the Proposed Solutions or Key Actions?

OSPA has many advantages in developing the resources of its member Tribes – even though we’re heavily regulated, the quality of our wind and solar resources, and the enormous

⁷ Source for average SPP data: Lawrence Berkeley National Laboratory’s “Generator Interconnection Cost Analysis in the Southwest Power Pool (SPP) Territory;” Source for OSPA project data: SPP DISIS-2017-002 Phase 2 Study.

land masses of our Tribes allow us to be competitive with any developer in the country. There are, however, two factors that can constitute an absolute barrier to our development efforts: 1) the cost of interconnection and network upgrades, reflecting the fact that our largest land-based Tribes reside in the transmission desert that spans most of South Dakota west of the Missouri River; and 2) excessive delays in obtaining interconnection – we were kept on the SPP queue for five years before SPP completed its DISIS Phase 2 Study. The Roadmap’s Solutions to the problems of network/interconnection costs and delays are by far the most important to OSPA, and we comment on them below.

- **Solution 3.4:** Incorporate equity Goals in transmission planning and valuation

This is OSPA’s top, immediate-term priority – see § II(2)(A) above. In particular, the Roadmap includes two proposed Solutions that OSPA considers extremely important:

First, the proposal to “Facilitate and support stakeholder planning sessions between PMAs and Tribes” (Roadmap, Table 23), could not be more important to OSPA. All the OSPA member Tribes are within the WAPA service area, and WAPA has facilities on most of the reservations of the OSPA Tribes. Indeed, as discussed in § II(1)(C), and shown in Map 7 and Chart 2 above, SPP’s DISIS Phase 2 studies concluded that the Ta’teh Topah and Pass Creek wind farms required \$121 million in upgrades to the WAPA facilities across the reservations of four OSPA Tribes for these two projects to obtain interconnection to the Grid. WAPA will similarly be the key to providing the transmission capacity required for future OSPA generation projects on the reservations of its other member Tribes. Finally, unlike SPP, WAPA has longstanding relationships with the Tribes, and is intimately familiar with the networks that serve them. WAPA, like other PMAs, is closest to the Tribes and is the natural party to engage in direct consultation with the Tribes to incorporate their renewable energy development plans, and to include them in regional and interregional transmission planning activities.

OSPA notes that currently, there is no formal consultative process to do such planning. WAPA (and we assume the other PMAs as well) have limited staff and financial resources, and can’t take on such additional responsibilities without assistance. Technical Assistance Grants and expert assistance from the i2X staff, combined with Grant funding from the BIL and IRA programs could provide the kind of support needed for truly effective consultation and planning. Once plans are developed, these can be used to help the directors of federal grant and loan programs secure funding for the required PMA network buildouts and other network upgrades. OSPA sees such coordination with WAPA as an immediate priority.

Second, OSPA thanks the i2X Staff for including IREZ hubs among the Roadmap’s equity Goals. OSPA believes that an IREZ hub in South Dakota west of the Missouri River can be the most important single element in starting to fix the transmission desert in western South Dakota, because it would eliminate the need for Tribes to pay for transmission across the

Missouri River to obtain interconnection to the National Power Grid. OSPA notes that designations of National Interest Electric Transmission Corridors (NIETCs), especially when combined with a new IREZ hub, can also play a critical role in addressing the transmission desert.

- **Solutions 1.2, 1.3 & 3.5:** Enhance interconnection and transmission models and assumptions and develop new tools

Because the studies and assumptions used by RTOs directly affect network upgrade cost estimates and associated interconnection fees, these issues are a top short- and mid-term priority. OSPA has two central concerns:

First, data should be collected on a Tribe-specific basis. Reports can aggregate the data for confidentiality, but it is important to compare assumptions, cost allocations, and fees for Tribal lands as an independent category. Chart 3 (on page 10) shows the extraordinary delta between SPP's cost allocations to two wind farms on Indian reservations – \$318/kW and \$635/kW respectively – and the average ~ \$100/kW cost for projects in development in the SPP region. It is important to identify and study these discrepancies so they can be eliminated.

Second, variations in results of DISIS Phase 1, 2 and 3 studies must be minimized. In OSPA's experience, the SPP study results varied so dramatically that planning was impossible. SPP DISIS Phase 1 study estimated a combined \$996M in network upgrades for the two OSPA wind projects, before dropping to \$229M in the DISIS Phase 2 study. Similarly, large disparities in network upgrade costs after a developer withdraws from the queue must be identified and explained. In OSPA's case, all the shared network upgrades assigned to the OSPA projects were subsequently eliminated for the projects that stayed in the queue, and the allocated network upgrades for later-queued projects with similar points of interconnection have been inconsistent. These outcomes are unreasonable on their face, and the flaws in the SPP models that caused them must be identified and eliminated.

- **Solution 3.3:** De-link interconnection from network upgrade investments

SPP's inclusion of network upgrade costs into its interconnection fees caused the excessive and unreasonable deposits that forced OSPA to withdraw its two queue positions. However, FERC Order 2023 retains this link, by establishing "Commercial Readiness" payments computed as a percentage of network upgrade costs. Given that, the focus should be to ensure that network costs are reasonable and allocated among all beneficiaries, not just to new generators. Equally important, as discussed in § II(1)(B) and § II(2)(A) above, federal funding to address the transmission desert that resulted from generations of harmful and discriminatory federal policy and underinvestment is essential to accomplishing this Goal.

- **Solution 2.2:** Implement and enforce interconnection timelines

High and immediate priority, particularly given SPP’s appeal of the FERC Order 2023 provisions designed to enforce meeting study and LGIA deadlines.

- **Solutions 2.4, 2.5 & 2.6:** Monitor interconnection and develop tools for mitigating backlogs and solving disputes

OSPA appreciates the i2X Staff’s attention to these Solutions, particularly the establishment of a technical Ombudsman. The FERC complaint process was not designed to address multiple disputes that may involve technical issues, and to resolve them quickly so that interconnection deadlines are not missed. These new dispute resolution models should be a medium-term priority.

- **Solutions 2.11 – 2.15:** Workforce development.

Workforce development is very important to OSPA, and OSPA appreciates the Roadmap’s proposed Solutions. However, solving transmission and interconnection costs is an immediate and existential concern for OSPA, and why our Responses focus on those issues.

5. What Potential Barriers Do You Foresee in Executing the Solutions, and How Significant Are They?

A. In OSPA’s experience, SPP has been the biggest barrier

In OSPA’s experience, the Southwest Power Pool has been an absolute impediment to developing the renewable energy resources of our member Tribes. Three utility-scale Indian Energy projects being developed by OSPA and another group – a 120 MW wind farm and a 110 MW solar farm on the Oglala Pine Ridge Reservation and a 450 MW wind farm on the Cheyenne River Reservation – all were forced to withdraw from the SPP interconnection queue, after a five year wait, because SPP allocated hundreds of millions of dollars in network upgrade costs to those projects.

OSPA will re-apply for interconnection with SPP next year. Maybe SPP will surprise us with reasonable fees and terms. SPP has announced major investments in upgrading the Grid in its territory – but as discussed in § II(1)(B) above, that investment is targeted to the eastern half of South Dakota, and will not benefit the OSPA projects. If SPP has plans to invest in the networks in the western half of the state, where the OSPA Tribes are, it hasn’t made such plans public. And maybe SPP will reduce its interconnection fees, in compliance with FERC Order 2023 – but in the draft “compliance” tariff SPP made public on its website on November 3,

2023⁸, all interconnection fees increased – the tariff includes the fee increases that FERC allowed, but ignores all the reductions FERC ordered. And maybe SPP will provide OSPA with timely interconnection this time – but SPP has appealed the rules adopted by FERC in its Order 2023 that are meant to ensure timely interconnection.

The Solution OSPA proposes in this Response – engaging OSPA, WAPA and local co-ops and providing them with federal funding to plan and build out Grid upgrades that will directly promote the development of Indian Energy on the reservations of the OSPA member Tribes – will eliminate the network upgrade cost allocations that are the basis for SPP’s excessive and unreasonable interconnection fees. This Solution will provide meaningful relief to OSPA, even if SPP continues to ignore and obstruct interconnection reform.

III. CONCLUSION

OSPA thanks the i2X Staff for their diligence, creative thinking and very hard work, and for their consistently conscientious outreach that has allowed OSPA to participate fully in this program. OSPA recognizes that these Responses are critical of portions of the Roadmap – this is because utility-scale Indian Energy is a brand-new reality, and raises complex questions that developers, ISO/RTOs, PMAs, regulators and policymakers have not had to deal with before. OSPA looks forward to continuing to work with i2X Staff to develop metrics, data and best practices that address the unique needs of Indian Energy.

Respectfully submitted:

THE OCETI SAKOWIN POWER AUTHORITY

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⁸ <https://spp.org/Documents/70358/RR594.zip>; For increased fees, see § 3.1.1 for increased Application Fee, § 8.2.a.1 for a new Site Control deposit for projects with regulatory limitations, and § 8.2.b for increased Study Deposit; for maintenance of existing security deposits in excess of FERC Order 2023, see § 8.2.a.2 for Gen-Tie Line Site Control deposit, §§ 8.2.f Financial Security 1 to enter into DISIS Phase 1 Study (\$4k/MW), § 8.5.1 for Financial Security 2 to enter into DISIS Phase 2 Study (10% of estimated upgrades) and § 8.5.2 for Financial Security 3 to enter into Facilities Study (20% of estimated upgrades).