
United States
Department of Energy

Office of Electricity
Docket No. PP-503

Basin Electric Power Cooperative



Presidential Permit
No. PP-503

April 15, 2026

Basin Electric Power Cooperative Presidential Permit No. PP-503

I. BACKGROUND

As directed by the Executive Office of the President, the United States Department of Energy (DOE) has the responsibility for implementing Executive Order (E.O.) 10485, as amended by E.O. 12038, which requires the issuance of a Presidential permit for the construction, operation, maintenance, or connection of electric transmission facilities at the United States international border. DOE may issue such a permit if it determines that issuance of the permit is consistent with the public interest and after obtaining favorable recommendations from the Department of State (DOS) and the Department of War (DOW).

In 2022, Saskatchewan Power Corporation (SaskPower) applied to the Southwestern Power Pool (SPP) to increase the transmission transfer capability between Saskatchewan and the U.S. up to 650 megawatts (MW) by 2027 to enhance the reliability of SaskPower's system. The SPP studied SaskPower's request in its Aggregate Transmission Service Study (ATSS) 2021-AG2-013¹, which identified the need for two new 230-kilovolt (kV) lines between North Dakota and Saskatchewan. On July 8, 2022, SPP issued the Basin Electric Power Cooperative (Basin Electric or Applicant) a Notice to Construct (NTC) the necessary system upgrades, and Basin Electric accepted the NTC in September 2022.²

On November 9, 2023, Basin Electric applied for a Presidential permit to authorize the construction, operation, maintenance, and connection of facilities at the international border between North Dakota and Canada for its proposed Tande and Wheelock to Saskatchewan 230-kV Transmission Project (Project).³ After Basin Electric submitted the requested corrections, DOE accepted the application on January 17, 2024, (Application or App.) and it was assigned the docket number PP-503.

¹ The SPP Aggregate Transmission Service Study (ATSS) is the process for evaluating requests for long-term transmission service. The ATSS process is described in Appendix A of Basin Electric's Presidential permit application and at <https://opsportal.spp.org/Studies/Trans>.

² A Notification to Construct (NTC) letter is a formal SPP document directing a designated Transmission Owner to construct approved upgrades required to meet specific SPP needs. Basin Electric's NTC, SPP-NTC-220722, was included as Appendix B in Basin Electric's Presidential permit application. It is also available at <https://www.spp.org/documents/69490/ntc%20220722%20bec-revised.pdf>.

³ On January 17, 2024, Basin Electric also filed a revised Application in response to DOE feedback on its November filing. The references to the Application in this notice reflect the latest revisions submitted by Basin Electric.

Basin Electric’s proposed Project “includes two new 230-kV electric transmission lines from existing substations in North Dakota . . . to the Canadian Border.” App. at 1. According to the Application, SaskPower, “a generation and transmission provider in Saskatchewan, will construct the transmission lines from the border to a new substation in Canada.” *Id.* The Applicant intends to route one circuit from the Wheelock substation near Ray, North Dakota to the Canadian Border, and the second circuit from Tande substation near Tioga, North Dakota to the Canadian Border. *Id.* Each circuit would require a separate border crossing. *Id.* The Project would provide total transfer capabilities of up to 650 MW. *Id.*

DOE published a Notice of Application in the Federal Register on February 14, 2024, (89 FR 11267) with a 30-day comment period. DOE received no comments.

II. DISCUSSION

E.O. 10485, as amended, recognizes the President’s broad discretion in granting Presidential permits and delegates certain responsibilities to the Secretary of Energy, requiring only that the Department find that issuing a permit would be “consistent with the public interest.” In making this determination, DOE generally evaluates a proposed project’s impact on reliability of the U.S. electric grid and weighs any other factors that DOE may consider relevant to the public interest.⁴ When a separate reliability analysis is conducted by an Independent System Operator (ISO)/Regional Transmission Organization (RTO), DOE’s practice has been to review the ISO/RTO’s analysis and determine the project’s impact on reliability.

A. Reliability Analysis

In order to analyze Basin Electric’s Presidential permit application, DOE reviewed the Applicant’s *Sask Power Transfer Power Flow Study*⁵ (study), which analyzed the SPP’s solution to serve a 650 MW firm point to point request from SaskPower. The study specifically analyzed two new 230 kV transmission lines, one from the Wheelock Substation and the other from the Tande Substation, connecting into a new substation, Tableland, just across the border in Canada. The Applicant’s study assumed 250 MW flow on each of the new lines, and 150 MW on the existing 230 kV Tioga to Boundary Dam line, for a total transfer of 650 MW between the SPP and Saskatchewan. The study also assumed Pioneer Generation Station Phase IV, currently under construction, would be in service by the date of the transfer request. The study analyzed flows in both directions, north to south and south to north.

Two contingencies were identified in the *SaskPower Transfer Power Flow Study* that resulted in potential reliability violations. However, these were resolved without

⁴ Applications for Presidential permits are not subject to the National Environmental Policy Act (NEPA) 42 U.S.C. 4321 *et seq.* See DOE NEPA Procedures, Section 2.1 (July 2025).

⁵ Basin Electric Power Cooperative, *SaskPower Transfer Power Flow Study*, January 2024

need for additional system upgrades or additions by updating the results to reflect the addition of the Pioneer IV Generation Station Phase IV and an increase to a facility rating resulting from changes to current transformer tap settings. The study concluded that the additional 650 MW transfer in either north or south direction from the SPP system to the SaskPower system does not affect the reliability or useability of the transmission system.

Based on DOE's independent review of the Applicant's study, DOE has determined that Basin Electric's Project will not have a negative impact on the operational reliability of the U.S. electric grid if operated consistent with the policies and standards of the North American Electric Reliability Corporation (NERC), and other regulatory and statutory requirements.

B. Concurrences

On February 2, 2026, DOE received a letter from the DOW stating it had no objection to DOE issuing the Presidential permit to Basin Electric. On August 27, 2025, DOE received a favorable recommendation from the DOS to issue the Presidential permit.

C. Public Comments

DOE received no comments following the February 2024 notice of application in the Federal Register.

III. FINDINGS AND DECISION

Based on its review of Basin Electric's Application, reliability analysis, and considering all relevant factors, DOE determined that Basin Electric's Project would not have a negative impact on the reliability of the U.S. grid if operated consistently with NERC's policies and standards, terms and conditions of the Presidential permit, terms and conditions of the Presidential permit, and other regulatory and statutory requirements.

Based on DOE's reliability determination and recommendations of the DOS and DOW, and the public comment process, DOE determines that the issuance of a Presidential permit to Basin Electric is consistent with the public interest.

IV. DATA COLLECTION AND REPORTING

The responsibility for the data collection and reporting under Presidential Permits authorizing electric transmission facilities at the United States international border and orders authorizing electricity exports to a foreign country currently rests with the U.S. Energy Information Administration (EIA) within DOE. The Applicant is instructed to follow EIA instructions in completing this data exchange. Questions regarding the data collection and reporting requirements can be directed to EIA by email at EIA4USA@eia.gov or by phone at 1-855-342-4872.

V. OPEN ACCESS POLICY

DOE expects owners and operators of border facilities to provide access across the border in accordance with the principles of comparable open access and non-discrimination contained in the Federal Power Act (FPA) and articulated in the Federal Energy Regulatory Commission (FERC) Order No. 888, *Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities*, as amended.⁶ The actual rates, terms and conditions of transmission service should be consistent with the non-discrimination principles of the FPA and the transmitting utility's Open-Access Transmission Tariff on file with FERC.

The holder of this Presidential permit is required to conduct operations in accordance with the applicable principles of the FPA and any pertinent rules, regulations, directives, policy statements, and orders adopted or issued thereunder, which include the comparable open access provisions of FERC Order No. 888, as amended. Pursuant to this Presidential permit, cross-border electric trade is subject the principles of open access and non-discrimination that apply to transmission in interstate commerce. See *Enron Power Mktg., Inc. v. El Paso Elec. Co.*, 77 FERC ¶ 61,013 (1996), *reh'g denied*, 83 FERC ¶ 61,213 (1998).

VI. ORDER

Pursuant to the provisions of E.O. 10485, as amended by E.O. 12038, permission is granted to Basin Electric to operate and maintain electric transmission facilities between North Dakota and Canada, as further described in Article 2 below, upon the following conditions:

Article 1. The facilities herein described shall be subject to all conditions, provisions, and requirements of this Permit. This Permit may be modified or revoked by the President of the United States without notice, or by DOE after public notice, and may be amended by DOE after proper application thereto.

Article 2. The facilities covered by and subject to this Permit shall include the following facilities and all supporting structures within the right-of-way occupied by such facilities:

1. One single circuit 230-kV overhead transmission line crossing the U.S.-Canada boundary at latitude 48°59'58"N, longitude 103°10'51"W (Tande to Saskatchewan Transmission Line).

⁶ 61 Fed. Reg. 21,540 (May 10, 1996), FERC Stats. & Regs. ¶ 31,036 (1996), *order on reh'g*, Order No. 888-A, 62 Fed. Reg. 12,274 (Mar. 14, 1997), FERC Stats. & Regs. ¶ 31,048 (1997), *order on reh'g*, Order No. 888-B, 81 FERC ¶ 61,248 (1997), *order on reh'g*, Order No. 888-C, 82 FERC ¶ 61,046 (1998), *aff'd in relevant part sub nom. Transmission Access Policy Study Group v. FERC*, 225 F.3d 667 (D.C. Cir. 2000) (*TAPS v. FERC*), *aff'd sub nom. New York v. FERC*, 535 U.S. 1 (2002).

2. One single circuit 230-kV overhead transmission line crossing the U.S.-Canada boundary at 48°59'58"N, longitude 103°12'47" (Wheelock to Saskatchewan Transmission Line).

Basin Electric's proposed Project facilities are more specifically shown and described in their Application.

Article 3. The facilities described in Article 2 above, shall be designed and operated in accordance with all policies and standards of FERC, NERC, Regional Entities, Reliability Coordinators, and independent system operators or their successors, as appropriate, on such terms as expressed therein and as such criteria, standards, and guides may be amended from time to time. The facilities shall also be operated consistent with other regulatory and statutory requirements.

Furthermore, any exports of electric energy across the facilities described in Article 2 shall be operated in such a manner that the combined maximum non-simultaneous rate of transmission over the permitted facilities shall not exceed 650 MW.

Article 4. No change shall be made in the facilities covered by this Permit or in the authorized operation or connection of these facilities unless such change has been approved by DOE.

Article 5. Basin Electric shall at all times maintain the facilities covered by this Permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 6. The operation and maintenance of the facilities covered by this Permit shall be subject to the inspection and approval of a designated representative of DOE, who shall be an authorized representative of the United States for such purposes. Basin Electric shall allow officers or employees of the United States, with written authorization, free and unrestricted access into, through and across any lands occupied by these facilities in the performance of their duties.

Article 7. Basin Electric shall investigate any complaints from nearby receptors of radio or television interference identifiably caused by the operation of the facilities covered by this Permit. Basin Electric shall take appropriate action as necessary to mitigate such situations. Basin Electric shall maintain written records of all complaints received and of the corrective actions taken.

Article 8. The United States shall not be responsible or liable for damages of any kind which may arise from or be incident to the exercise of the privileges granted herein. Basin Electric shall hold the United States harmless from any and all such claims.

Article 9. Basin Electric shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between the United States and Canada over the facilities authorized herein. Basin Electric shall make and preserve full and complete records with respect to the electric energy transactions between the United States and Canada. Basin Electric

shall collect and submit the data to EIA as required by and in accordance with the procedures of Form EIA-111, “Quarterly Electricity Imports and Exports Report” and all successor forms.

Article 10. Neither this Permit nor the facilities covered by this Permit, or any part thereof, shall be transferable or assignable, unless specifically authorized by DOE.

Article 11. Upon the termination, revocation or surrender of this Permit, the permitted facilities which are owned, operated, maintained, and connected by Basin Electric and described in Article 2 of this Permit, shall be removed and the land restored to its original condition within such time as DOE may specify and at the expense of Basin Electric. If Basin Electric fails to remove such facilities and/or any portion thereof authorized by this Permit, DOE may direct that such actions be taken for the removal of the facilities or the restoration of the land associated with the facilities at the expense of Basin Electric. Basin Electric shall have no claim for damages by reason of such possession, removal or repair. However, if certain facilities authorized herein are useful for other utility operations within the bounds of the United States, DOE may not require that those facilities be removed and the land restored to its original condition upon termination of the international interconnection.

Article 12. Basin Electric has a continuing obligation to give DOE written notification as soon as practicable of any prospective or actual changes of a substantive nature in the circumstances upon which this Presidential Permit was based, including but not limited to changes in authorized entity contact information.

Issued in Washington, DC on April 15, 2026

Catherine Jereza
Assistant Secretary
Office of Electricity
U.S. Department of Energy