

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Joint Site Permit
Application of Summit Lake Solar, LLC for
a Solar Energy Generating System Site
Permit and a Battery Energy Storage
System Site Permit for the up to 200 MW
Summit Lake Solar Facility and Battery
Energy Storage System in Nobles County,
Minnesota

FIRST PREHEARING ORDER

This matter came before Administrative Law Judge Kimberly Middendorf for a prehearing conference on August 15, 2025.

Jeremy P. Duehr and J. Thomas Brett, Fredrikson & Byron, P.A., appeared on behalf of Summit Lake Solar, LLC (Applicant), along with Alia Mohammed, Permitting Specialist.

Appearing on behalf of the Public Utilities Commission (Commission or PUC) was Craig Janezich, Energy Facilities Planner, and Sam Weaver, Energy Infrastructure Permitting (EIP).

Based upon the stipulations of the parties and the record,

IT IS HEREBY ORDERED:

Parties to the Contested Proceedings and Intervention

1. **Parties.** Persons or entities that wish to intervene as parties in this proceeding must file a petition to intervene that complies with Minn. R. 1400.6200 (2025) with the Judge as set forth below.

2. **Deadline to Intervene.** Persons or entities that wish to intervene as parties in this proceeding must file a petition to intervene that complies with Minn. R. 1400.6200 (2025) no later than **4:30 p.m. on October 15, 2025**. Copies of the petition to intervene must be served upon the Administrative Law Judge, all existing parties and participants, and the Commission. A notice of appearance must be filed with the petition. Petitioners shall provide an electronic mail address on the petition or notice of appearance. **All intervenors will be held to the schedule set forth below.** Unless extraordinary

circumstances exist, the schedule will not be modified to accommodate late intervention. Therefore, parties intending to intervene should do so as early in the process as possible.

3. **Objections to Intervention.** Any objection to a petition for intervention shall be filed within **seven (7) days** of the filing of the petition. See Minn. R. 1400.6200, subp. 2 (2023). The objection shall state the party's reasons for objection and shall be served upon the Judge, all existing parties and participants, and the Commission.

4. **Service List.** The service list has now been established for this matter and shall only be amended upon the granting of a petition to intervene by the Judge and the filing of a notice of appearance. Interested members of the public who are not on the service list are invited to receive notifications through the PUC's eDocket system. Only parties and intervenors shall file notices of appearance. All other interested individuals shall subscribe to the docket on the PUC's eDocket system. Filing a notice of appearance does not place a person or group on the official service list, nor does it grant a person or group party status.

5. **Public Participation.** It is not necessary to be an intervenor or party to participate in these proceedings. Members of the public are encouraged to submit written comments during the public comment period, appear at all hearings, and participate in the public hearings. The public hearings will be open to all members of the public and will provide opportunities for individuals and groups to present evidence and argument on the issues in each case. Members of the public may receive notices of filings and access to public documents filed in the case by subscribing to the docket on the PUC's eDocket system: [MN DOC Efiling \(state.mn.us\)](https://mn.doc.efiling.state.mn.us). To subscribe, enter the docket number(s) of these proceedings. Upon subscribing to the docket, you will be provided with electronic notice of all filings, as well as access to the public documents filed in the case.

Prehearing and Hearing Schedule

6. Below is the prehearing and hearing schedule. The dates set forth below will only be modified by the Judge for good cause shown.

Milestone	Date
Virtual Environmental Scoping Meeting	5/21/2025
In-person Environmental Scoping Meeting	5/22/2025
Close of Public Comment Period	6/5/2025
Environmental Assessment (EA) Scoping Decision Issued	7/17/2025

Milestone	Date
EA Issued/Notice of EA Availability and Public Hearings	10/22/2025
Applicant Direct Testimony and Exhibits	10/29/2025
In-person Public Hearing Worthington Event Center 1477 Prairie Drive Worthington, MN 56187	11/05/2025 6:00 p.m.
Virtual Public Hearing	11/06/2025 12:00 p.m.
Close of Public Hearing Comment Period	11/21/2025
Applicant Responses to Hearing Comments and Proposed Findings of Fact	12/15/2025
PUC EIP Responses to Comments on EA; Technical Analysis; and Replies to Applicant Proposed Findings	12/29/2025
Administrative Law Judge Report	02/02/2026
Exceptions to Judge's Report	2/17/2026

Public Hearings

7. **Public Hearings.** There will be one (1) in-person public hearing in the service area and one (1) virtual public hearing.

The Commission shall issue a Notice of Public Hearings with the dates, times, locations, and instructions on how to attend a virtual hearing (including links, codes, and passwords). The Commission shall submit the Notice to the Judge for review and approval prior to service and publication. The Commission shall also file the Notices in eDockets.

In-person public hearings start promptly at the start time and end when all persons in attendance have had an opportunity to be heard or, at latest, 9:00 p.m. Virtual public hearings shall start promptly at the scheduled time and end when all persons in attendance have had an opportunity to be heard or, at latest, 3:00 p.m. Therefore, it is important to arrive at the start time.

Pre-filed Testimony and Exhibits

8. **Exhibit Format.** Exhibits may be in any reasonable format that is understandable, logically organized, searchable by key terms, and capable of being cited by page and line number, paragraph number, or similar identifier.

9. **Pre-filed Testimony.** All pre-filed testimony shall be a separate exhibit for each witness and filed in eDockets. Direct, rebuttal, and surrebuttal pre-filed testimony of a witness shall be marked as separate exhibits. All pre-filed testimony shall be in a format that is searchable by key terms.

Pre-filed testimony that is not offered into the record as an exhibit at hearing or stricken portions of pre-filed testimony that is offered into the record, shall be considered withdrawn.

10. **Exhibit Numbering.** The parties shall mark their exhibits in numerical order, starting with the number 1, and include the following party identifiers before the exhibit number (e.g., EIP-1, EIP-2, etc.):

Applicant	SLS
EIP	EIP
Commission	PUC

Additional intervenors will be assigned a party identifier upon permission to intervene.

11. **Master Exhibit List.** After the close of the hearing, Applicant shall prepare a Master Exhibit List that identifies each exhibit in the hearing record, with its hearing exhibit number and unique eDocket identifying number. The parties shall use the master exhibit list template supplied by the Court Report to make compilation of a Master Exhibit List easier for Applicant. Please contact Applicant's counsel for the template.

12. **Official Record.** The documents filed in eDockets constitute the official record of the proceeding, along with any supplemental record data that is offered at the hearing.

Service and Filing of Documents; Courtesy Copies

13. **eDockets.** Original documents shall be filed using the Commission's eDockets system where feasible, in accordance with Minn. Stat. § 216.17, subd. 3 (2024), and the Commission's standards. **The parties are not required to file documents with the Court of Administrative Hearings.** An oversized exhibit may be received into the

record, with approval of the Judge, provided that a duplicate original of the exhibit conforming to the standards of Minn. R. 1400.5275 (2025), is submitted into the electronic record.

14. **Effective Time of Filing.** The effective date and time of filing shall be the date and time the document is filed and accepted into eDockets. Parties using the eDockets system should retain the unique document identifier as proof of filing through that system.

15. **Service Through eDockets.** The parties agree that filing through the eDockets system shall constitute service on all other parties in this matter. Anything that cannot be filed in eDockets shall be served by U.S. mail or delivered to the persons indicated on the official service list by the date the document is required to be served. The service list will be revised as necessary by the Commission.

16. **Proposed Findings.** A courtesy copy of all proposed findings shall be sent to the Administrative Law Judge and Court Reporter by electronic mail. Proposed findings should be sent to the Judge (and copied to all parties and participants) in a Microsoft Word format that permits editing. Any party filing proposed findings shall use best efforts to conform to CAH formatting style.

17. **Contact with Judge.** Ex parte contact with the Judge is strictly prohibited. Procedural questions or concerns can be directed to Judge Middendorf's legal assistant, Nichole Sletten, at Nichole.Sletten@state.mn.us. Communications directed to the Judge must include all other parties.

Dated: August 21, 2025

A handwritten signature in black ink, appearing to read 'Kim Mi', written over a horizontal line.

KIMBERLY MIDDENDORF
Administrative Law Judge

August 21, 2025

See Attached Service List

Re: *In the Matter of the Joint Site Permit Application of Summit Lake Solar, LLC for a Solar Energy Generating System Site Permit and a Battery Energy Storage System Site Permit for the up to 200 MW Summit Lake Solar Facility and Battery Energy Storage System in Nobles County, Minnesota*

**CAH 21-2500-41031
MPUC IP-7153/GS-25-89; IP-7153/ESS-25-88**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FIRST PREHEARING ORDER** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7855, susan.day@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,


SUSAN DAY
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Joint Site Permit Application of Summit Lake Solar, LLC for a Solar Energy Generating System Site Permit and a Battery Energy Storage System Site Permit for the up to 200 MW Summit Lake Solar Facility and Battery Energy Storage System in Nobles County, Minnesota	CAH Docket No.: 21-2500-41031 IP-7153/GS-25-89; IP- 7153/ESS-25-88
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On August 21, 2025, a true and correct copy of the **FIRST PREHEARING ORDER** was served by eService, and United States mail, (in the manner indicated on the attached service list) to the following individuals:

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Leakhena	Au	lau@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-88 Official CC Service List
2	Tom	Brett	tbrett@fredlaw.com	Fredrikson and Byron, P.A.		60 South 6th St #1500 Minneapolis MN, 55108 United States	Electronic Service		No	25-88 Official CC Service List
3	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		No	25-88 Official CC Service List
4	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	25-88 Official CC Service List
5	Monika	Davis	monika.davis@merjent.com			1 Main Street Suite 300 Minneapolis MN, 55414 United States	Electronic Service		No	25-88 Official CC Service List
6	Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-88 Official CC Service List
7	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	25-88 Official CC Service List
8	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-88 Official CC Service List
9	Molly	Leisen	mleisen@fredlaw.com	Fredrikson & Byron P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-88 Official CC Service List
10	Kimberly	Middendorf	kimberly.middendorf@state.mn.us		Office of Administrative Hearings	PO Box 64620 600 Robert St N Saint Paul MN, 55164-0620 United States	Electronic Service		Yes	25-88 Official CC Service List
11	Alia	Mohammad	amohammad@nationalgridrenewables.com	Summit Lake Solar, LLC		c/o National Grid Renewables 8400	Electronic Service		No	25-88 Official CC

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						Normandale Lk, Blvd, #1200 Bloomington MN, 55437 United States				Service List
12	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	25-88 Official CC Service List
13	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	25-88 Official CC Service List

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1	Leakhena	Au	lau@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-89 Official CC Service List
2	Tom	Brett	tbrett@fredlaw.com	Fredrikson and Byron, P.A.		60 South 6th St #1500 Minneapolis MN, 55108 United States	Electronic Service		No	25-89 Official CC Service List
3	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		No	25-89 Official CC Service List
4	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	25-89 Official CC Service List
5	Monika	Davis	monika.davis@merjent.com			1 Main Street Suite 300 Minneapolis MN, 55414 United States	Electronic Service		No	25-89 Official CC Service List
6	Martin	Donovan	martin.donovan@state.mn.us		Department of Natural Resources	500 Lafayette Road St Paul MN, 55155 United States	Electronic Service		No	25-89 Official CC Service List
7	Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-89 Official CC Service List
8	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	25-89 Official CC Service List
9	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-89 Official CC Service List
10	Molly	Leisen	mleisen@fredlaw.com	Fredrikson & Byron P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	25-89 Official CC Service List
11	Kimberly	Middendorf	kimberly.middendorf@state.mn.us		Office of Administrative Hearings	PO Box 64620 600 Robert St N Saint Paul MN, 55164-	Electronic Service		Yes	25-89 Official CC Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						0620 United States				
12	Alia	Mohammad	amohammad@nationalgridrenewables.com	Summit Lake Solar, LLC		c/o National Grid Renewables 8400 Normandale Lk, Blvd, #1200 Bloomington MN, 55437 United States	Electronic Service		No	25-89 Official CC Service List
13	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	25-89 Official CC Service List
14	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix & Associates		7400 Lyndale Avenue South Suite 190 Richfield MN, 55423 United States	Electronic Service		Yes	25-89 Official CC Service List