

**In the Matter of Impacts of the “Capacity” Definition in Minn. Stat. § 216B.164 and Associated Rules on Net Metering Eligibility for Rate-Regulated Utilities.**

**PUC Docket No. E002, 111, 017, 015/CI-24-200**

**Commissioner Tuma offers the following revised Decision Option 2:**

**TUMA REVISED 2:**

Delegate authority to the Executive Secretary to open a new rulemaking proceeding to clarify that “capacity,” as defined in Minn. Stat. § 216B.164, subd. 2a(c), for purposes of eligibility for the net-metering rate in Minn. Stat. § 216B.164, subd. 3(d), is measured at the utility’s bi-directional meter. In addition to the rulemaking proceeding, a separate proceeding in this docket shall develop the record on impacts to rates, interconnection agreements, and how the utility will limit export capacity of a qualifying facility to 40kW if capacity, for purposes of eligibility for the net-metering rate in Minn. Stat. §216B.164, subd. 3(d), is measured at the utility’s bi-directional meter.