BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Birch Coulee Solar LLC for a Site Permit for the up to 125 MW Birch Coulee Solar Project in Renville County, Minnesota

MPUC Docket No. IP-7119/GS-23-477
OAH Docket No. 24-2500-40416

DIRECT TESTIMONY OF SCOTT GROUX
ON BEHALF OF BIRCH COULEE SOLAR LLC

February 25, 2025

I. INTRODUCTION AND QUALIFICATIONS

Q. Please state your name, employer, and business address.

A. My name is Scott Groux. I am a Developer at AES Clean Energy (AES). My business address is 2180 S 1300 E Suite 500, Salt Lake City, Utah 84106.

Q. Please briefly describe your educational background and professional experience.

A. I have a Bachelor of Science degree in Materials Science and Engineering and a Certificate in Energy Sustainability from the University of Wisconsin-Madison. I have been employed by AES Clean Energy since 2021. My job duties include oversight of utility-scale solar and battery storage projects that are in early or mid-stages of development, including the Birch Coulee Solar Project.

Q. For whom are you testifying?

A. I am testifying on behalf of Birch Coulee Solar LLC (Birch Coulee Solar), an independent power producer and an affiliate of The AES Corporation, in support of its Application for a Site Permit for the Birch Coulee Solar Project (Project), an up to 125 megawatt (MW) solar energy generating facility and associated facilities in Renville County, Minnesota.[1]

Q. What is your role with respect to the Project?

A. I am the lead developer for the Project and am accountable for all aspects of Project development. My duties include landowner and community engagement, overseeing environmental and engineering site surveys, permitting, power marketing, and managing the design and contracting of the Project.

[1] Birch Coulee Solar Site Permit Application (July 29, 2024) (eDocket No. 20247-209066-02) (hereafter referred to as "Application").

II. PURPOSE OF TESTIMONY

Q. What is the purpose of your Direct Testimony?

A. The purpose of my testimony is to: (1) provide an overview of the Project; (2) provide updates on the Project; (3) discuss the Project's anticipated socioeconomic benefits; (4) discuss Birch Coulee Solar's coordination with the Minnesota State Historic Preservation Office (SHPO) and Tribal Nations regarding the Project; and (5) describe Birch Coulee Solar's responses to stakeholder comments received on the Project thus far.

Q. How is your Direct Testimony organized?

A. My Direct Testimony is organized as follows:

- Section III: Project Overview
- Section IV: Project Updates
- Section V: Local Employment & Economic Benefits
- Section VI: Coordination with SHPO and Tribal Nations
- Section VII: Response to Stakeholder Comments

Q. What schedules are attached to your Direct Testimony?

A. The following schedules are attached to my Direct Testimony:

- **Schedule A**: Statement of Qualifications
- **Schedule B**: Updated Maps 3 (Project Layout), 5 (Nearby Residences), 9 (Renville County Zoning), and 10 (Franklin Zoning)

Q. Are you also sponsoring the Application?

A. Yes, I am sponsoring the entire Application.

III. PROJECT OVERVIEW

Q. Please describe the Project.

A. Birch Coulee Solar is proposing to construct, own, and operate an up to 125-megawatt alternating current (MWac) photovoltaic solar energy generating facility and associated infrastructure in Renville County, Minnesota. Birch Coulee Solar proposes to build the Project within an area of approximately 1,041.6 acres of private land, of which 768.2 acres will be for the operation of the Project. The Project is within Birch Cooley, Camp, and Bandon townships, and the City of Franklin in Renville County, Minnesota.[2] The purpose of the Project is to generate an annual average of approximately 264,000 MW hours of renewable energy over its anticipated 30-year life, which equates to enough power for approximately 25,142 houses per year.[3]

Q. Please describe the generation tie line associated with the Project.

A. The proposed 115-kV generation tie line (gen-tie) will extend from the Project Substation to a utility-owned switchyard, which will connect to the existing 115-kV Franklin Substation. Due to the proximity of the Project Substation to the Franklin Substation, the gen-tie is anticipated to be less than 500 feet in length. The final interconnection layout and need for a gen-tie line and utility-owned switchyard will be determined in conjunction with the transmission owner (Xcel Energy).[4]

Q. Why did Birch Coulee Solar choose the Project Area as presented in the Application to build the Project?

A. Birch Coulee Solar sited the Project in the current location due to the presence of capacity on the existing electrical grid and transmission infrastructure, strong solar

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[2] Application at 1.

[3] *Id.*

[4] Application at 13.

resource, proximity to the existing Franklin Substation, strong landowner support, and minimal impact on environmental and cultural resources.[5]

IV. PROJECT UPDATES

Q. Have there been any updates to the Project since the Application was filed?

A. Yes. As discussed at the public scoping meetings in October 2024, the anticipated start of construction and operation of the Project has shifted to 2028 and 2030, respectively. In addition, based on comments received from the Minnesota Department of Transportation (MnDOT) and subsequent discussions, Birch Coulee Solar will access the Project from County Road 5, rather than State Highway 19. These updates are discussed further below.

Q. What is the status of executing a generator interconnection agreement (GIA) for the Project?

A. At the time of filing the Application, Birch Coulee Solar anticipated signing a GIA in First Quarter 2025.[6] Based on the current Midcontinent Independent System Operator, Inc. (MISO) Definitive Planning Phase schedule posted on February 1, 2025, Birch Coulee Solar now currently expects to sign a GIA for the Project in First Quarter 2026.

Q. Has the anticipated schedule for the construction and in-service of the Project changed from what was contemplated in the Application?

A. Yes. Based on the MISO process, Birch Coulee Solar now anticipates that the Project will be able to be in-service in 2030, rather than 2028 as stated in the Application.

[5] Application at 7-8.

[6] Application at 2-3.

Q. How have the access roads changed as a result of MnDOT's comments?

A. Based on discussions with MnDOT and the adjacent property owner, Birch Coulee Solar agreed to move the access road in the western portion of the Project area to be oriented east-west from County Road 5 instead of north-south from State Highway 19. In addition, to minimize traffic utilizing the existing 115-kV Franklin substation driveway, Birch Coulee Solar removed the temporary laydown area in the southern portion of the Project area and will use the existing driveway for the one-time delivery of the generator step-up transformer and control house for the Project Substation. The temporary laydown area in the western-most parcel would be used to stage materials for the Project Substation construction and vehicle parking during construction and would be reclaimed and restored after construction is complete. These modifications to the Project layout are reflected in **Schedule B**, which includes updated versions of Maps 3, 5, 9, and 10 from the Application.

V. LOCAL EMPLOYMENT & ECONOMIC BENEFITS

Q. Will the Birch Coulee Solar Project result in local employment and economic benefits?

A. Yes. We estimate that the Project would generate approximately 300 construction jobs at the peak of construction. During operation of the Project Birch Coulee Solar estimates that three or four full-time solar technicians would be needed to conduct maintenance activities. These benefits are discussed in Section 4.2.7 of the Application.

Q. How will the Project benefit the local economy through tax revenue during the lifetime of the Project?

A. Birch Coulee Solar estimates that the Project would generate approximately $350,000 in tax revenue per year for Renville County, and $175,000 in tax revenue per year for the townships, City of Franklin, and local school district.[7]

Q. Has Birch Coulee Solar coordinated with representatives of the Laborers' District Council of Minnesota and North Dakota (LIUNA), the International Union of Operating Engineers Local 49 (Local 49), and the North Central States Regional Council of Carpenters?

A. Yes. Birch Coulee Solar has met with representatives of interested labor organizations, including LIUNA, Local 49, and the North Central States Regional Council of Carpenters to discuss the Project and workforce that will be needed to construct the Project. Birch Coulee Solar appreciates the engagement of these organizations and looks forward to the socio-economic benefits that the Project will provide.

Q. What are Birch Coulee Solar's commitments regarding the workforce that will be needed for construction of the Project?

A. Construction of the Project would provide temporary increases to the revenue of the area through increased demand for lodging, food services, fuel, transportation, and general supplies. Birch Coulee Solar will issue a Request for Proposal (RFP) to one or more qualified Engineering, Procurement and Construction (EPC) contractors to oversee and manage the construction of the Project. In this RFP, Birch Coulee Solar intends to include a strong preference for bids that utilize local, union construction craft employees to the greatest extent feasible in accordance with the Project's timeline, budget, and safety requirements. Birch Coulee Solar expects that the selected EPC contractor will collaborate with organized labor

[7] Application at 39.

unions and other stakeholders to develop a workforce and hiring plan that maximizes the local economic benefits of the Project.

VI. COORDINATION WITH SHPO & TRIBAL NATIONS

Q. Provide a summary of SHPO coordination for the Project.

A. Birch Coulee Solar conducted an archaeological survey with participation of Tribal Cultural Specialists from the Lower Sioux Indian Community and Upper Sioux Community in November 2023. Birch Coulee Solar provided the Phase I Archaeological Survey Report to the SHPO in March 2024, and the SHPO provided concurrence on May 3, 2024 (Appendix H of the Site Permit Application).[8]

Q. Has Birch Coulee Solar conducted additional outreach to interested Tribal Nations since the Application was filed?

A. Yes. Birch Coulee Solar has communicated updates about the Project's permitting status and schedule to the Lower Sioux Indian Community Tribal Historic Preservation Officer. In addition, Birch Coulee Solar received a letter in August 2024 from the Leech Lake Band of Ojibwe indicating that the Leech Lake Band would support any recommendations from the Lower Sioux and Upper Sioux Communities. Birch Coulee Solar also received an email from the Lower Sioux Tribal Preservation Coordinator requesting that we contact the appropriate parties in the event of inadvertent discoveries and for additional documentation, which Birch Coulee Solar has provided.

[8] Application at 52 and 69.

VII. DECOMMISSIONING & VEGETATIVE SCREENING

Q. Has Birch Coulee Solar received comments regarding decommissioning and vegetative screening concerning the Project?

A. Yes. These comments were primarily submitted by Renville County.[9]

Q. Has Birch Coulee Solar prepared a decommissioning plan for the Project?

A. Yes. It was filed as Appendix G to the Application. Consistent with Department of Commerce guidance,[10] the decommissioning plan describes how the Project would be decommissioned at the end of its useful life, provides a cost estimate for that decommissioning, and describes financial assurance to ensure that funds are available for decommissioning.

Q. Please summarize Birch Coulee Solar's understanding of Renville County's comments regarding the decommissioning plan.

A. In its October 10, 2024, comments, Renville County expressed concern over the cost estimate included in the decommissioning plan and the timing for posting financial assurance. Renville County requested $13.5 million in financial assurance beginning in year one of the Project.[11] In contrast, consistent with applicable guidance and other recent projects,[12] Birch Coulee Solar's draft

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[9] *See* Written Public Comments Received on Scope of the EA for the Project (Nov. 1, 2024) (eDocket No. 202411-211553-01).

[10] *See In the Matter of the Department of Commerce Working Group on Decommissioning of Wind and Solar Facilities*, MPUC Docket No. E-999/M-17-123, EERA Recommendations on Review of Solar and Wind Decommissioning Plans (March 16, 2020) (hereafter referred to as "EERA Decommissioning Plan Guidance").

[11] *See* Written Public Comments Received on Scope of the EA for the Project (Nov. 1, 2024) (eDocket No. 202411-211553-01).

[12] *See* EERA Decommissioning Plan Guidance at 4; *see, e.g.*, *In the Matter of the Application of Louise Solar Project, LLC for a Site Permit for the 50 MW Louise Solar Project in Mower County, Minnesota*, MPUC Docket No. IP-7039/GS-20-647, Compliance Filing - Decommissioning Plan at 7 (Oct. 21, 2024); *see also In the Matter of the Application of Byron Solar, LLC for a Certificate of Need, Site Permit, and Route Permit for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Dodge and Olmsted Counties, Minnesota*, MPUC Docket No. IP-7041/GS-20-763, Site Permit Application, Appendix H – Decommissioning Plan at 1-4 (Aug. 21, 2021).

decommissioning plan identifies a net decommissioning cost and proposes to begin providing financial assurance in year 10 of Project operations.[13]

Q. Has Birch Coulee Solar met with Renville County regarding the County's comments?

A. Yes. Birch Coulee Solar appreciates Renville County's engagement regarding the Project. Birch Coulee Solar met with the Renville County Board of Commissioners in December 2024 and February 2025 to discuss the county's comments regarding decommissioning and vegetative screening.

Q. What is Birch Coulee Solar's response to Renville County's comments concerning the amount of the decommissioning cost estimate?

A. Birch Coulee Solar believes that the estimated net decommissioning cost included in the draft decommissioning plan filed with the Application is conservative relative to the net decommissioning estimates from other similarly sized utility-scale solar projects.[14] Nonetheless, as a result of Birch Coulee Solar's coordination with Renville County, Birch Coulee Solar will coordinate with County staff and provide the County with a second decommissioning cost estimate. Birch Coulee Solar plans to include that second estimate with the updated decommissioning plan submitted prior to construction pursuant to Section 9.1 of the Commission's site permit.

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[13] Birch Coulee Solar Site Permit Application, Appendix G at 9 (July 29, 2024) (eDocket No. 20247-209069-03).

[14] *See, e.g.*, *In the Matter of the Application of Byron Solar, LLC for a Certificate of Need, Site Permit, and Route Permit for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Dodge and Olmsted Counties, Minnesota*, MPUC Docket No. IP-7041/GS-20-763, Site Permit Application, Appendix H – Decommissioning Plan at 1-5 (Aug. 21, 2021) (estimating decommissioning costs of $13,212,400 or $43,130 per MW after resale and salvage); *see also In the Matter of the Application of Lake Wilson Solar Energy LLC for a Certificate of Need and a Site Permit for the up to 150 MW Lake Wilson Solar and Associated Battery Storage Project in Murray County, Minnesota*, MPUC Docket No. IP-7070/GS-21-792, Site Permit Application, Appendix G – Decommissioning Plan at 11-12 and Attachment B (Feb. 9, 2023) (estimating decommissioning costs of $17,754,100 or $118,360 per MW after resale and salvage).

Q. What is Birch Coulee Solar's response to Renville County's comments concerning the timing of financial assurance for decommissioning?

A. The Project's draft decommissioning plan proposes to begin posting financial assurance in year 10 of Project operations. This timing is consistent with guidance from the Department of Commerce,[15] and Birch Coulee Solar believes it is appropriate to follow that guidance for the Project, consistent with other projects approved by the Commission.[16]

Q. Overall, are comments regarding decommissioning like those submitted by Renville County typically addressed by the Commission's standard site permit?

A. Yes, the issues raised by Renville County are regulated by the Commission. The Commission's typical site permit condition 9.2 imposes an obligation on the Permittee to decommission and restore a project site after a project ceases operations. Likewise, the Commission's typical permit conditions require permittees to prepare and update decommissioning plans and identify financial assurance(s) to ensure that funds are available for decommissioning (Section 9.1). Here, as I discussed above, the Project's draft decommissioning plan was prepared in accordance with guidance from the Department of Commerce and is consistent with plans prepared for other solar projects.

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[15] EERA Decommissioning Plan Guidance at 4.

[16] *See, e.g.*, *In the Matter of the Application of Louise Solar Project, LLC for a Site Permit for the 50 MW Louise Solar Project in Mower County, Minnesota*, MPUC Docket No. IP-7039/GS-20-647, Compliance Filing - Decommissioning Plan at 7 (Oct. 21, 2024); *see also In the Matter of the Application of Byron Solar, LLC for a Certificate of Need, Site Permit, and Route Permit for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Dodge and Olmsted Counties, Minnesota*, MPUC Docket No. IP-7041/GS-20-763, Site Permit Application, Appendix H – Decommissioning Plan at 1-4 (Aug. 21, 2021).

Q. Did Renville County also provide comments concerning vegetation screening?

A. Yes. Following the public scoping meetings and a discussion in December 2024, Birch Coulee Solar received a proposal for vegetative screening from Renville County along 660th Avenue, adjacent to two residences. Birch Coulee Solar agreed to the proposed vegetative screening and will continue to work out the details of species and extent of screening with the county and request feedback from the two adjacent Project neighbors.

VIII. CONCLUSION

Q. Does this conclude your Direct Testimony?

A. Yes.

Scott Groux
AES Clean Energy

Experience

- 6/2021 - Present **Solar Development Manager, AES Clean Energy**
  - Started in Real Estate Analyst role, providing early title due diligence and administrative support for contract execution and ALTA survey creation
  - Moved to Solar Developer team in April 2022, provide project strategic guidance, own project budgeting and scheduling, perform stakeholder engagement, support permitting and origination, and accountable for all other aspects of project development.
- 10/2020 – 6/2021 **Solar Installer, Creative Energies**
  - Installed commercial and residential panel systems, assisted electrical and service teams with their work when possible, aided on 1.5 MW of solar assets
- 8/2020 – 9/2020 **Solar Installer, POWERHOME SOLAR**
  - Installed residential panel systems, 150 kW installed, 80% of installations with a battery backup system
- 8/2018 – 3/2020 **Peace Corps Volunteer, Peace Corps Namibia**
  - Taught Grade 6 & 7 English and Natural Science.
  - Coached youth soccer teams and organized multiple extracurricular activities.
  - Coordinated regional learner gender awareness and leadership camp (Camp GLOW South)
- 12/2016 – 6/2018 **Associate, Novomoto LLC**
  - Performed transmission layout and infrastructure research for a potential pilot micro-grid system for undergraduate capstone project sponsored by the company.
  - Assisted with technical system troubleshooting and network communications.
  - Lead grant proposal writing, investor applications, social media management, and future market analysis.

Education

- 8/2013 – 5/2018 **University of Wisconsin-Madison**
  - B.S. in Materials Science and Engineering
  - Certificate in Energy Sustainability
  - Semester studying at the Technical University of Denmark, Spring 2016
  - Cap Stone Project: Computer modeling of micro-grid systems vs. single unit residential solar systems for NovoMoto using HOMER, Matlab, and CAD software.

Schedule B

670th Ave

410th St

Renville County

73

400th St

660th Ave

19

5

Franklin

1st AVE E

2nd St

29

7th St

- Site
- Anticipated Development Area
- Proposed Solar Arrays
- Access Routes
- Stormwater Basin
- Laydown Yard (temporary or permanent)
- Laydown Yard (temporary)
- Project Substation
- Utility-Owned Switchyard
- Inverter
- Franklin 115 kV Substation
- Utility Distribution Substation
- Gen-Tie
- Field-Identified Watercourse
- Field-Identified Wetland Boundaries
- Tree Areas
- Native Vegetation Areas
- Tile Lines (Renville Co)
- Open Ditches (Renville Co)
- Dwelling

N

0 500 1,000

Feet

USDA NAIP Imagery, 2021

Map 3
SITE LAYOUT
Site Permit Application
Birch Coulee Solar LLC

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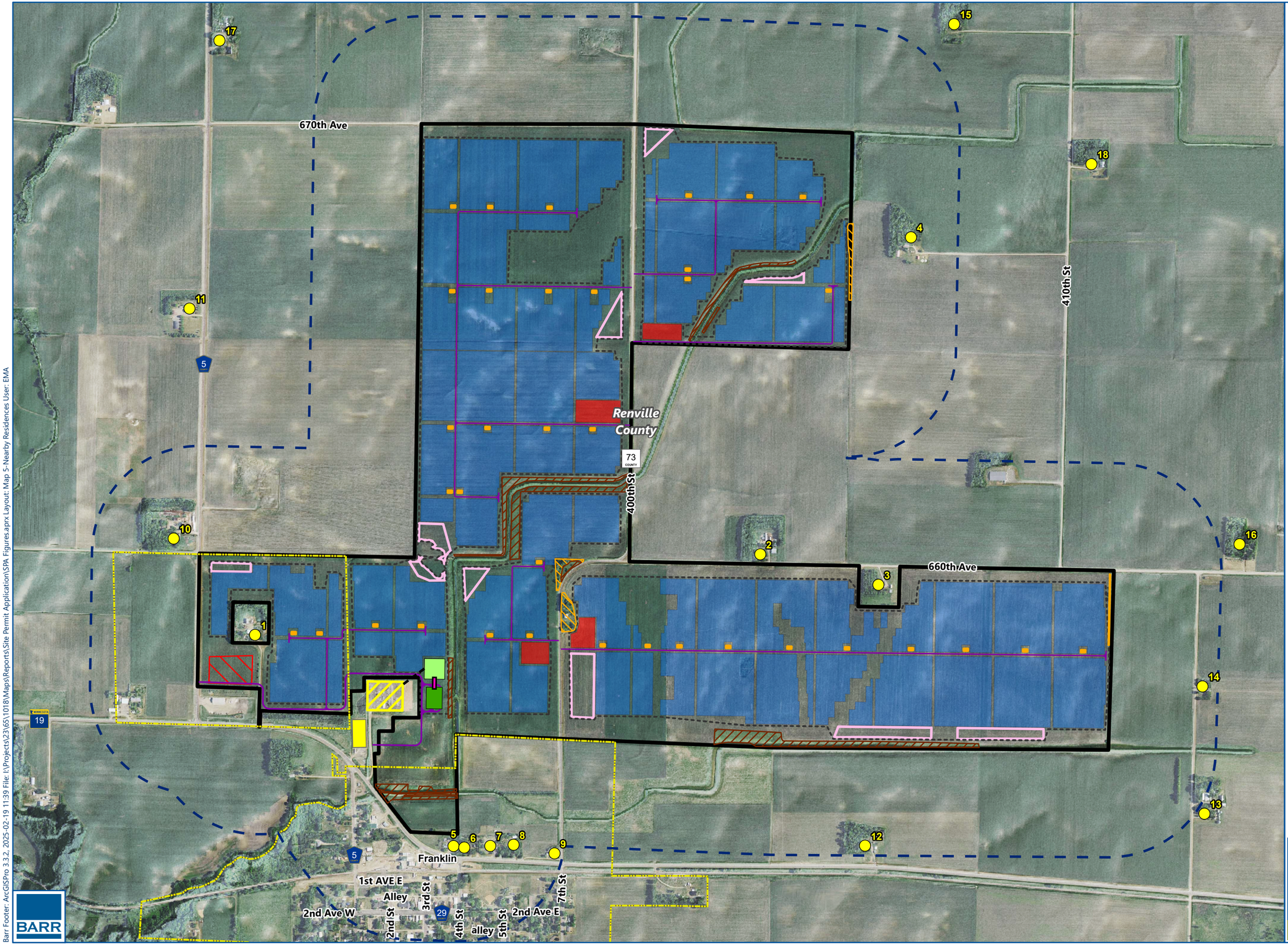
Schedule B



Site
Quarter-Mile Site Radius
Residence
Anticipated Development Area
Proposed Solar Arrays
Access Routes
Stormwater Basin
Laydown Yard (temporary or permanent)
Laydown Yard (temporary)
Project Substation
Utility-Owned Switchyard
Inverter
Franklin 115 kV Substation
Utility Distribution Substation
Gen-Tie
Tree Areas
Native Vegetation Areas
Municipal Boundary
County Boundary

N

0 500 1,000

Feet

USDA NAIP Imagery, 2021

Map 5
NEARBY RESIDENCES
Site Permit Application
Birch Coulee Solar LLC

BARR

Schedule B

670th Ave

410th St

RENVILLE COUNTY

660th Ave

400th St

Franklin

Franklin

5

19

73

29

Site

Zoning Districts*

- Agricultural (A)
- Incorporated Cities (IC)
- Anticipated Development Area
- Proposed Solar Arrays
- Access Routes
- Stormwater Basin
- Laydown Yard (temporary or permanent)
- Laydown Yard (temporary)
- Project Substation
- Utility-Owned Switchyard
- Inverter
- Franklin 115 kV Substation
- Utility Distribution Substation
- Gen-Tie
- Field-Identified Watercourse
- Field-Identified Wetland Boundaries
- Tree Areas
- Native Vegetation Areas
- Municipal Boundary
- Open Ditches (Renville Co)
- Tile Lines (Renville Co)
- US and MN Highways
- County State-Aid Highway
- County Road
- Township Road
- Municipal Street

**Renville County Zoning Map, October 2021*

0 500 1,000

Feet

Map 9
RENVILLE COUNTY ZONING
Site Permit Application
Birch Coulee Solar LLC

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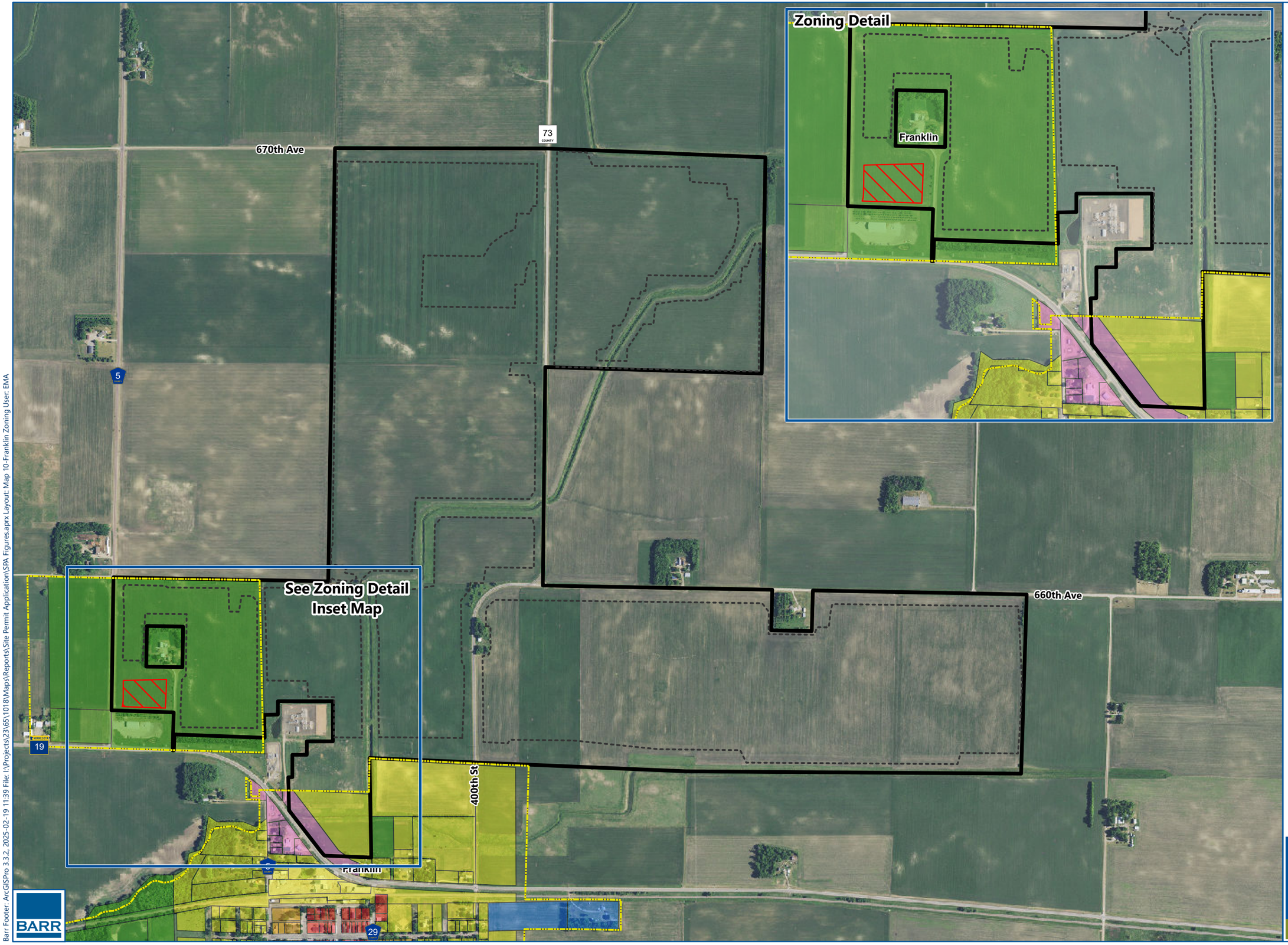

Schedule B

- Site
- Anticipated Development Area
- Laydown Yard (temporary)
- Municipal Boundary

Franklin Zoning*

- Agriculture
- M-1
- R-1 (Low Density Residential)
- R-2
- B-1
- B-2 (Highway Business District)

**Franklin Zoning Ordinance Zoning Map, 2023*

0 550 1,100
Feet

Map 10
FRANKLIN ZONING
Site Permit Application
Birch Coulee Solar LLC

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