

January 21, 2025

Via Electronic Filing

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

**RE: In the Matter of Implementation of 2023 Legislation Changes to Xcel Energy's
Community Solar Garden Program, Docket No. E-002/CL-23-335**

Dear Mr. Seuffert:

In response to the Staff Briefing Papers filed in the above-styled matter, Interested Stakeholders submit the following alternative decision options.

As stated in our reply comments, the statute governing the LMI-Accessible CSG Program defines “capacity,” using the definition in MINN. STAT. § 216B.164 Subd. 2a(c), and therefore no definition of “capacity” is needed in the standard contract.¹ In its reply comments, Northern States Power Company, d/b/a Xcel Energy, proposed to add the following definition to tariff sheet 9-99.01:

“Capacity” is determined by and measured in alternating current (AC) at the solar photovoltaic electric generating facility’s inverter or a power control system or supplemental device that controls production at this facility before the load at the site of the facility.²

Our reply comments explained that we disagree that any definition of “capacity” is needed in the standard contract:

This is because the statute governing the LMI-Accessible CSG Program already defines capacity, using the definition in MINN. STAT. § 216B.164 Subd. 2a(c). There is thus no need to reiterate the statutory definition in the new CSG standard contract. The previous CSG standard contract did not include a definition of “nameplate capacity,” and the new CSG standard contract does not need to include a definition of “capacity.”³

¹ Interested Stakeholders, *Reply Comments*, Doc. No. 23-335 at 2 (Nov. 26, 2024).

² Xcel Energy, *Reply Comments*, Doc. No. 23-335 at 6 (Nov. 26, 2024).

³ Interested Stakeholders, *Reply Comments*, Doc. No. 23-335 at 2 (Nov. 26, 2024).

We note that no proposed decision option reflects this *status quo* position. We therefore propose the alternative decision option 5a. set forth below.

In addition, in our reply comments, we recommended that the end of the definition of “Bill Credit Rate” in the standard contract should contain the following sentence:

“Upon execution of the Contract, the methodology used to calculate the Average Retail Rate shall not change for the term of the Contract.”⁴

The substance of the briefing papers accurately represents this recommendation, however, the wording of the proposed decision option is slightly different.⁵ Accordingly, we propose the alternative decision option 7a. set forth below

Alternative Decision Options:

5a. Approve Xcel’s proposed edits which change “nameplate capacity” to “capacity” in the LMI standard contract, except for the additional definition of “capacity” at tariff sheet 9-99.01.

7a. Approve the inclusion of “Upon execution of the Contract, the methodology used to calculate the Average Retail Rate shall not change for the term of the Contract.”

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⁴ *Id.* at 4.

⁵ See Minnesota Public Utilities Commission, *Staff Briefing Papers*, Doc. No. 23-335 at 8, Decision Option 7 (Jan. 16, 2025) (“Approve the inclusion of “Upon execution of the Contract, the Average Retail Rate shall not change for the term of the Contract.” (Nokomis)”).

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please contact me at matthew@nokomisenergy.com or (612) 999-8600 if you have any questions regarding this filing.

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