

April 25, 2024

VIA eFILING

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Re: Reply Comments

**In the Matter of the Application of Enbridge Solar (Plummer), LLC for a Site Permit
for the up to 130 MW Plummer Solar Project in Red Lake County, MN
MPUC Docket No. IP7103/GS-22-451**

Dear Mr. Seuffert:

Enbridge Solar (Plummer), LLC (Plummer Solar) submits these reply comments regarding the completeness of its Application for a Site Permit (Application) for an up to 130 megawatt (MW) alternating current (AC) photovoltaic (PV) solar energy generating facility and associated facilities in Emardville Township in Red Lake County, Minnesota (Project).

Initial comments were filed by the Minnesota Department of Commerce, Energy Environmental Review and Analysis (DOC-EERA) on April 18, 2024. Plummer Solar appreciates DOC-EERA Staff's thorough review of the Application and comments on this process going forward. Plummer Solar provides these reply comments to address the items discussed in the comments of DOC-EERA Staff, as well as to discuss the process for further review of the Application.

Application Completeness and Additional Information.

The Minnesota Public Utilities Commission (Commission) requested comments concerning whether the Application contains the information required under the applicable rule. DOC-EERA Staff recommended the Commission accept the Application as substantially complete but require Plummer Solar to continue researching and adopting strategies to mitigate the potential environmental impacts of the Project on minority groups or other groups of concern in the local community, as DOC-EERA Staff commented that the Project is in an area that is considered to be of increased concern for Environmental Justice (EJ).

As discussed in Section 5.2.8 of the Application, there is one census tract located within the Land Control Area. Census tract 27125010100 is considered representative of the general population in the vicinity of the Project and provides the best approximation of the area within which potential disproportionate adverse impacts from the Project could occur. 25.8 percent of people (with a +/- 9.95 percent margin of error) reported income less than the 200 percent of the federal poverty level in this census tract. Due to the margin of error, this meets one of the four criteria from Minn. Stat.

§ 216B.1691, subd. 1(e) (35 percent or more of households in the area have an income that is at or below 200 percent of the federal poverty level). Accordingly, because of this concentration of low-income residents within the census tract where the Project is located, using the Minnesota definition of an EJ area, the Project is considered to be in an area of increased concern for EJ. The census tract does not meet the other three criteria in Minn. Stat. § 216B.1691, subd. 1(e).

Plummer Solar does not object to DOC-EERA Staff's recommendation that it continue researching and adopting strategies to mitigate the potential environmental impacts of the Project on minority groups or other groups of concern in the local community. However, Plummer Solar believes this Project will bring great benefits to the local community through economic investment, construction and operations jobs, property and business taxes, community investment programs, and landowner lease payments. For example, as discussed in Section 5.2.7 of the Application, in the first year, the Project is expected to generate an estimated annual solar energy production and property tax revenue of approximately \$430,000 for Red Lake County, approximately \$210,000 for Emardville Township, and approximately \$140,000 for the State of Minnesota. It is also expected to support up to 150-200 jobs during the construction and installation phases, and up to three to four onsite jobs in Red Lake County and up to five indirect jobs during the anticipated 30-year operational life of the Project.

Additionally, as discussed in the Application, Plummer Solar will include preferences for contractor bids that utilize local, union construction craft employees to the greatest extent feasible. Plummer Solar's parent company has entered into a memorandum of understanding with the Operating Engineers Local 49, Laborers Local 1097, International Brotherhood of Electrical Workers (IBEW) Local 1426, and IBEW Local 160 regarding the use of union labor for construction of the Project. Additionally, Plummer Solar has held multiple meetings with several Tribes to discuss the Project and potential employment and investment opportunities in the Project and will continue ongoing conversations in an effort to provide meaningful opportunities for Tribal employment and economic opportunity from the Project. Plummer Solar has committed to using best efforts to support and deploy Native American, local, veteran and diverse businesses and workforces that can perform the scopes of services needed. Further, federal policy recognizes the community benefits from locating solar and promoting local jobs.

Advisory Task Force.

Plummer Solar agrees with DOC-EERA Staff that an advisory task force is not warranted. Therefore, the Commission should decline to appoint an advisory task force.

Application Review Process.

Plummer Solar agrees with DOC-EERA Staff's assessment that there are no contested issues of fact. Plummer Solar also agrees with DOC-EERA Staff's recommendation that the matter should be referred to the Office of Administrative Hearings (OAH) for a public hearing and preparation of a full administrative law judge report with recommendations.

Conclusion.

Plummer Solar respectfully requests that the Commission:

1. Accept the Application as substantially complete and authorize review of the Application under the alternative permitting process under Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900;
2. Find there are no contested issues of fact with respect to the proposed Project;
3. Set a schedule consistent with DOC-EERA Staff's recommendation and refer the matter to the OAH for a public hearing and preparation of a full administrative law judge report with recommendations; and
4. Find that an advisory task force is not warranted.

Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

A handwritten signature in dark ink, appearing to read 'CKB', with a long horizontal flourish extending to the right.

Christina K. Brusven

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**In the Matter of the Application of Enbridge
Solar (Plummer), LLC for a Site Permit for
the up to 130 MW Plummer Solar Project in
Red Lake County, MN**

MPUC Docket No. IP7103/GS-22-451

CERTIFICATE OF SERVICE

Alicia P. LaValla certifies that on the 25th day of April 2024 she e-filed a true and correct copy of Plummer Solar's Completeness Reply Comments with this Certificate of Service on behalf of Enbridge Solar (Plummer), LLC via eDockets (www.edockets.state.mn.us). A copy of this filing is also being served upon the persons as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

Dated this 25th day of April 2024

/s/ Alicia P. LaValla
Fredrikson & Byron, P.A.
60 South Sixth Street, Suite 1500
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