

August 31, 2015



**VIA ELECTRONIC FILING**

Daniel Wolf  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, MN 55101

**Re: Comments**  
**Community Solar Garden Program**  
**Docket No. E002/M-13-867**

Dear Mr. Wolf,

SunShare respectfully submits the attached *Comments by SunShare, LLC* in response to the Commission's August 10, 2015 Notice of Comment Period filed in the above-mentioned docket.

Please do not hesitate to contact me if you have any questions.

Sincerely,

s/ Ross Abbey

Ross Abbey  
SunShare, LLC  
Director, Regulatory & Legal - MN

609 S. 10th Street, Suite 210  
Minneapolis, MN 55404  
(612) 345-8331  
ross@mysunshare.com

*On behalf of SunShare, LLC*

Cc: Appended Service List

STATE OF MINNESOTA  
PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner
Betsy Wergin	Commissioner

August 31, 2015

In the Matter of the Petition of Northern States  
Power Company, dba Xcel Energy, for Approval of  
its Proposed Community Solar Garden Program

Docket No. E002/M-13-867

COMMENTS IN RESPONSE TO THE COMMISSION'S AUGUST 10, 2015 NOTICE FOR COMMENTS  
BY SUNSHARE, LLC

SunShare, LLC respectfully submits these initial comments in response to the Commission's August 10, 2015 Notice for Comment (requesting comment on Xcel's July 24, 2015 letter filed in this docket).

I. A contested-case proceeding would likely be very costly

Due to the litigation-style process involved, SunShare is concerned that a contested-case proceeding would be relatively more expensive and time-intensive than the Commission's standard notice-of-comment process. Among other things, participating stakeholders would presumably have to recapitulate the entire record in this docket for the Administrative Law Judge, or fail to do so at risk of prejudice against their own position. At the very least, we also anticipate that some participating stakeholders would want to retain an attorney-agent to represent them before the Administrative Law Judge.<sup>1</sup> Given these manifest costs, SunShare questions whether it is really "necessary" to use Xcel's standard to launch a contested case process at this time.<sup>2</sup>

II. A Contested Case Proceeding Is Inappropriate for the Issues Identified by Xcel Energy in its July 24, 2015 Letter

SunShare is also concerned that Xcel Energy failed to lay out the correct legal/regulatory standard for engaging the Office of Administrative Hearings in a contested case proceeding. Such a proceeding may be necessary when there are material facts in dispute. The issues

---

<sup>1</sup> SunShare is seeking more information on reasonable attorney costs for this sort of matter, and will endeavor to file Reply Comments (on this matter) regarding same if we are able.

<sup>2</sup> Northern States Power Company July 24, 2015 Letter, 13-867, at 1 Fn. 1.

spelled out by Xcel Energy in its July 24 Letter, however, are policy issues best determined by the Commission through open comment periods rather than through a contested case proceeding.

For example, Senator John Marty expressed a request that the Commission work with Xcel Energy and the Department of Commerce to ensure “that a portion of the [S\*RC] program benefit low income households.”<sup>3</sup> A decision on how to best ensure low-income access to community solar would be more appropriately dealt with in a notice and comment period, with open access for all stakeholders to weigh in on policy considerations, than by an administrative law judge in a contested case proceeding.

Regarding Xcel’s interconnection practices (the 7th bullet listed in Xcel’s list of Issues for Investigation), SunShare is hoping that the Commission will address this matter in a more-expedited manner, for example via new Docket #15-786.

### III. Conclusion

SunShare looks forward to reading other stakeholders’ initial comments, and to providing reply comments on this matter.

s/ Ross Abbey  
Ross Abbey

Ross Abbey  
SunShare, LLC  
Director of Business Development  
and Government Affairs –  
Minnesota

609 S. 10th Street, Suite 210  
Minneapolis, MN 55404  
(612) 345-8331  
ross@mysunshare.com

*On behalf of SunShare, LLC*

---

<sup>3</sup> Senator John Marty Aug. 14, 2015 Letter, 13-867, at 1.

CERTIFICATE OF SERVICE

I, Ross Abbey, hereby certify that on August 31, 2015, I served copies of the following document on the attached list of persons by electronic filing, certified mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

Comments by SunShare LLC

Docket No. E002/M-13-867

Certified this 31<sup>st</sup> day of August, 2015

s/ Ross Abbey

Ross Abbey  
SunShare, LLC  
Director of Business Development and Government Affairs – Minnesota

609 S. 10th Street, Suite 210  
Minneapolis, MN 55404  
(612) 345-8331  
ross@mysunshare.com

*On behalf of SunShare, LLC*

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Ross	Abbey	ross@mysunshare.com	SunShare, LLC	609 S. 10th Street Suite 210 Minneapolis, MN 55404	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael	Allen	michael.allen@allenergysolar.com	All Energy Solar	721 W 26th st Suite 211  Minneapolis, Minnesota 55405	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Sara	Baldwin Auck	sarab@irecusa.org	Interstate Renewable Energy Council, Inc.	774 E 3rd Ave  Salt Lake City, UT 84103	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Kenneth	Bradley	kbradley1965@gmail.com		2837 Emerson Ave S Apt CW112  Minneapolis, MN 55408	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael J.	Bull	mbull@mncee.org	Center for Energy and Environment	212 Third Ave N Ste 560  Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jessica	Burdette	jessica.burdette@state.mn.us	Department of Commerce	85 7th Place East Suite 500 St. Paul, MN 55101	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Joel	Cannon	jcannon@tenksolar.com	Tenk Solar, Inc.	9549 Penn Avenue S  Bloomington, MN 55431	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
John J.	Carroll	jcarroll@newportpartners.com	Newport Partners, LLC	9 Cushing, Suite 200  Irvine, California 92618	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Arthur	Crowell	Crowell.arthur@yahoo.com	A Work of Art Landscapes	234 Jackson Ave N  Hopkins, MN 55343	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Dustin	Denison	dustin@appliedenergyinnovations.org	Applied Energy Innovations	4000 Minnehaha Ave S Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
James	Denniston	james.r.denniston@xcelenery.com	Xcel Energy Services, Inc.	414 Nicollet Mall, Fifth Floor Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Ian	Dobson	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Antitrust and Utilities Division 445 Minnesota Street, BRM Tower St. Paul, MN 55101	Electronic Service 1400	Yes	SPL_SL_13-867_Community Solar Garden - Xcel
Bill	Droessler	bdroessler@iwla.org	Izaak Walton League of America-MWO	1619 Dayton Ave Ste 202 Saint Paul, MN 55104	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Betsy	Engelking	betsy@geronimoenergy.com	Geronimo Energy	7650 Edinborough Way Suite 725 Edina, MN 55435	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
John	Farrell	jfarrell@ilsr.org	Institute for Local Self-Reliance	1313 5th St SE #303 Minneapolis, MN 55414	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 551012198	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Nathan	Franzen	nathan@geronimoenergy.com	Geronimo Energy	7650 Edinborough Way Suite 725 Edina, MN 55435	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Hal	Galvin	halgalvin@comcast.net	Provectus Energy Development llc	1936 Kenwood Parkway Minneapolis, MN 55405	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Timothy	Gulden	info@winonarenewableenergy.com	Winona Renewable Energy, LLC	1449 Ridgewood Dr  Winona, MN 55987	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Michael	Harvey	mike@weknowsolar.com	We Know Solar	265 Mounds View Rd Suite #1 River Falls, WI 54022	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Duane	Hebert	duane.hebert@novelenergy.biz	Novel Energy Solutions	1628 2nd Ave SE  Rochester, MN 55904	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Lynn	Hinkle	lhinkle@mnseia.org	Minnesota Solar Energy Industries Association	2512 33rd Ave South #2  Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jim	Horan	Jim@MREA.org	Minnesota Rural Electric Association	11640 73rd Ave N  Maple Grove, MN 55369	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jan	Hubbard	jan.hubbard@comcast.net		7730 Mississippi Lane  Brooklyn Park, MN 55444	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
John S.	Jaffray	jjaffray@jirpower.com	JJR Power	350 Highway 7 Suite 236  Excelsior, MN 55331	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Eric	Jensen	ejensen@iwla.org	Izaak Walton League of America	Suite 202 1619 Dayton Avenue St. Paul, MN 55104	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Michael	Kampmeyer	mkampmeyer@a-e-group.com	AEG Group, LLC	260 Salem Church Road  Sunfish Lake, Minnesota 55118	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Brad	Klein	bklein@elpc.org	Environmental Law & Policy Center	35 E. Wacker Drive, Suite 1600  Suite 1600 Chicago, IL 60601	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Madeleine	Klein	mklein@socoreenergy.com	SoCore Energy	225 W Hubbard Street Suite 200 Chicago, IL 60654	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
John	Kluempke	jwkluempke@winlectric.com	Elk River Winlectric	12777 Meadowvale Rd  Elk River, MN 55330	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jon	Kramer	jk2surf@aol.com	Sundial Solar	4708 york ave. S  Minneapolis, MN 55410	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael	Krause	michaelkrause61@yahoo.com	Kandiyo Consulting, LLC	433 S 7th Street Suite 2025 Minneapolis, Minnesota 55415	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Dean	Leischow	dean@sunriseenergyventures.com	Sunrise Energy Ventures	601 Carlson Parkway, Suite 1050  Minneapolis, MN 55305	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Rebecca	Lundberg	rebecca.lundberg@powerfullygreen.com	Powerfully Green	11451 Oregon Ave N  Champlin, MN 55316	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Casey	MacCallum	casey@appliedenergyinnovations.org	Applied Energy Innovations	4000 Minnehaha Ave S  Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Erica	McConnell	emcconnell@kfwlaw.com	Keyes, Fox & Wiedman LLP	436 14th Street, Suite 1305  Oakland, California 94612	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Thomas	Melone	Thomas.Melone@AllcoUS.com	Minnesota Go Solar LLC	222 South 9th Street Suite 1600 Minneapolis, Minnesota 55120	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Andrew	Moratzka	apmoratzka@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Martin	Morud	mmorud@trunorthsolar.com	Tru North Solar	5115 45th Ave S Minneapolis, MN 55417	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jeff	O'Neill	jeff.oneill@ci.monticello.mn.us	City of Monticello	505 Walnut Street Suite 1 Monticello, Minnesota 55362	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Dan	Patry	dpatry@sunedison.com	SunEdison	600 Clipper Drive Belmont, CA 94002	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jeffrey C	Paulson	jeff.jcplaw@comcast.net	Paulson Law Office, Ltd.	7301 Ohms Ln Ste 325 Edina, MN 55439	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Donna	Pickard	dpickard@aladdinsolar.com	Aladdin Solar	1215 Lilac Lane Excelsior, MN 55331	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Gayle	Prest	gayle.prest@minneapolismn.gov	City of Mpls Sustainability	350 South 5th St, #315 Minneapolis, MN 55415	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Matthew J.	Schuerger P.E.	mjsreg@earthlink.net	Energy Systems Consulting Services, LLC	PO Box 16129 St. Paul, MN 55116	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Doug	Shoemaker	dougs@mnRenewables.org	MRES	2928 5th Ave S Minneapolis, MN 55408	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Thomas P.	Sweeney III	tom.sweeney@easycleanenergy.com	Clean Energy Collective	P O Box 1828 Boulder, CO 80306-1828	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
SaGonna	Thompson	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Pat	Treseler	pat.jcplaw@comcast.net	Paulson Law Office LTD	Suite 325 7301 Ohms Lane Edina, MN 55439	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jason	Willett	jason.willett@metc.state.mn.us	Metropolitan Council	390 Robert St N Saint Paul, MN 55101-1805	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Daniel	Williams	DanWilliams.mg@gmail.com	Powerfully Green	11451 Oregon Avenue N Champlin, MN 55316	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel