



Minnesota Solar Energy Industries Association

We Move Minnesota Solar + Storage Forward

October 18, 2022

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55105

**Re: Joint DG Parties Comments, Docket Numbers E999/CI-16-521 and E999/CI-01-1023:
Updating the Generic Standards for the Interconnection and Operation of Distributed
Generation Facilities Established under Minn. Stat. § 216B.1611**

Mr. Seuffert,

Please find attached reply comments from the Minnesota Solar Energy Industries Association (MnSEIA), the Environmental Law and Policy Center (ELPC), and Vote Solar (VS). These comments reflect the views of our organizations and interested members related to the Distributed Generation (DG) Tariff as discussed in Docket Numbers E999/CI-16-521 and E999/CI-01-1023.

Sincerely,

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Enclosure: Supplemental Reply Comments of the Joint DG Parties

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

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| Katie Sieben | Chair |
| Valerie Means | Commissioner |
| Matt Schuerger | Commissioner |
| Joseph K. Sullivan | Commissioner |
| John Tuma | Commissioner |

**In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611
Docket Nos. E999/CI-16-521 and E999/CI-01-1023**

REPLY COMMENTS of the MINNESOTA SOLAR ENERGY INDUSTRIES ASSOCIATION (MnSEIA), VOTE SOLAR, and the ENVIRONMENTAL LAW AND POLICY CENTER (ELPC)

October 18, 2022

Docket Nos. CI-16-521/M-01-1023

Introduction

The Joint DG Parties appreciate the responses to the Notice of Comment Period from Dakota Electric Association (Dakota Electric or Cooperative),¹ Xcel Energy (Xcel),² Otter Tail Power Company (OTP),³ and the Department of Commerce, Division of Energy Resources (the Department or Commerce)⁴—as well as those of other parties that have commented on the matter

¹ Dakota Electric Association, Comments, In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611, Docket Nos. E999/CI-16-521 and E999/CI-01-1023, Doc. ID. 20229-189313-01, (September 27, 2022).

² Xcel Energy, Comments, In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611, Docket Nos. E999/CI-16-521 and E999/CI-01-1023, Doc. ID. 20229-189366-01, (September 28, 2022).

³ Otter Tail Power Company, Comments, In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611, Docket Nos. E999/CI-16-521 and E999/CI-01-1023, Doc. ID. 20229-189355-01, (September 28, 2022).

⁴ Comments—Supplemental, Minnesota Commerce Department, Division of Energy Resources, In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611, Docket Nos. E999/CI-16-521 and E999/CI-01-1023, Doc. ID. 20229-189354-01, (September 28, 2022).

over the last several years. The development of this record is robust, and any further development of the record must be narrowly-tailored and reasonably timely.

I. Reply to the Department of Commerce, Division of Energy Resources

In its September 28, 2022, the Department reiterated its recommendation “that the Commission undertake a discrete and measured approach to undertaking a review of Attachment 6.”⁵ The Department also noted that additional information from the roll-out of advanced metering and IEEE 1547-2018 compliant advanced inverters may bring additional valuable information that can help to inform some elements of the avoided cost, especially avoided distribution costs.⁶ While we feel strongly that the record is sufficiently built for the Commission to determine that our Attachment 6 recommendations are the correct pathway forward, we do appreciate the Department’s thoughtful comments. We understand that the Commission may feel the need to get additional information, because by looping in unrelated policy items, like FERC determinations and § 216B.164, Subd. 4, the utilities have made this process unnecessarily difficult.

We agree with the Department that Attachment 6 merits full engagement from stakeholders, and we are disappointed that the utilities have chosen to focus on issues that are completely outside the scope of an Attachment 6 revision. The utilities’ unwillingness to focus on the guiding statute (Minn. Stat. 216B.1611) is causing the commenters to talk past each other and has confused and strained the record.

Commerce suggests that it may be necessary to first resolve the legal questions that stakeholders have highlighted surrounding the applicability of Minnesota Statutes §§ 216B.1611 and 216B.164 before determining the details of an Attachment 6 revision. They highlight this approach by stating, “[...] and to ensure the sequential review of the final calculation methodology and rate design are appropriately sited within a shared understanding of the policy implications resulting from any changes to the pricing mechanism to be employed.”⁷ After years of working on this Attachment 6 reformation process, the record already supports Commission action to meaningfully implement Minn. Stat. 216B.1611. We do understand the situation that the Commission finds itself in, but note that much of the information on the horizon will be used in implementation, not the high-level policy guidance that we have proposed and maintain is required pursuant to the statute.

⁵ *Id.* at 3.

⁶ *Id.* at 4.

⁷ *Ibid.*

If the Commission seeks to follow Commerce's suggestion instead of adopting our Attachment 6 revisions outright, then we could support 1) a finding that the correct enabling statute is Minn. Stat. § 216B.1611, and not § 216B.164, Subd. 4, and 2) the issuance of a limited new comment period that prescribes a process designed to result in a final commission order within a reasonable timeframe of 90-180 days under this shared understanding of policy implications.

Conclusion

We appreciate the consideration the Commission has given this important, perhaps transformative issue, and we appreciate the thoughtful comments from other stakeholders over the years.

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