

December 17, 2014

Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, Minnesota 55101-2147

RE: **Reply Comments of the Minnesota Department of Commerce, Division of Energy Resources**  
Docket No. E002/M-14-162

Dear Dr. Haar:

Attached are the *Reply Comments* of the Minnesota Department of Commerce, Division of Energy Resources (Department) in the following matter:

Northern States Power Company d/b/a Xcel Energy's Request for Approval of Solar Portfolio to meet Initial Solar Energy Standard Compliance.

The petition was filed on October 24, 2014 by:

James J. Alders  
Strategy Consultant  
Xcel Energy Services, Inc.  
414 Nicollet Mall, 7<sup>th</sup> Floor  
Minneapolis, MN 55401

The Department recommends **approval** and is available to answer any questions that the Commission may have.

Sincerely,

/s/ EILON AMIT  
Statistical Analyst

EA/ja  
Attachment

**BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

**REPLY COMMENTS OF THE  
MINNESOTA DEPARTMENT OF COMMERCE  
DIVISION OF ENERGY RESOURCES**

**DOCKET No. E002/M-14-162**

**I. BACKGROUND**

On October 24, Northern States Power Company d/b/a Xcel Energy (NSP, Xcel or the Company) petitioned the Minnesota Public Utilities Commission (Commission) for approval of a solar portfolio to meet initial solar energy standard requirements (Petition).

The Petition requests that the Commission:

- Approve the following Power Purchase Agreements (PPAs) for solar energy:
  - i. A PPA with Marshall Solar for 62.25 Megawatt (MW).
  - ii. A PPA with MN Solar I for 24.75 MW.
  - iii. A PPA with North Star Solar for 100 MW (together, the proposed Solar Portfolio or Solar Portfolio 2).
- Allow the Company to apply the output of the proposed Solar Portfolio toward the Solar Energy Standard (Minn. Stat. §216B.1691, subd. 2f).
- Approve recovery of the cost and expenditures associated with the proposed Solar Portfolio via the Fuel Clause Rider (FCR) as allowed by Minn. Stat. §216B.1645.

On December 8, 2014 the Department filed comments recommending approval, but requested Xcel to clarify certain provisions in the Power Purchase Agreements (PPAs).

Also, on December 9, 2014, the Minnesota Solar Energy Industry Association, the Clean Energy Organizations, and the Community Energy Renewables, LLC filed comments supporting the Company's Petition.

## **II. DISCUSSION**

In its initial Comments, the Department was concerned about certain aspects of the Right of First Offer (ROFO) provisions in the PPAs. In particular, the Department requested the Company to explain how it plans to recover its costs if it exercises its ROFO rights for any of the three PPAs. In response to the Department's Information Request Nos. 6 and 8, the Company explained that if it exercises its ROFO option then the facility would become part of the fleet of Company-owned generation assets, and would be subject to Commission regulation. The Department concludes that such an approach would be reasonable.

## **III. RECOMMENDATIONS**

Based on its analysis and conclusions, the Department recommends that the Commission:

1. Approve the PPA's between Xcel and Marshall Solar, Xcel and MN Solar 1 and Xcel and North Star Solar with the condition that a transfer of any of the PPAs to a third party or purchase of any of the three facilities by Xcel must first be approved by the Commission.
2. Allow the solar energy produced by Solar Portfolio 2 to be counted toward Xcel's Solar Energy Standard requirements.
3. Allow Xcel to recover from its Minnesota ratepayers only its Minnesota jurisdictional costs of each of the PPAs in Solar Portfolio 2 via the FCR.
4. Upon exercising its ROFO option with any of the three PPAs, Xcel must file with the Commission its plan for recovery of the costs of purchasing the facility.

/ja

## **CERTIFICATE OF SERVICE**

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce  
Reply Comments**

**Docket No. E002/M-14-162**

Dated this 17<sup>th</sup> day of **December 2014**

**/s/Sharon Ferguson**

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Ralph	Jacobson	N/A	Minnesota Solar Energy Industries Association	2512 33rd Ave S #2  Minneapolis, MN 55406	Paper Service	No	OFF_SL_14-162_M-14-162
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Eric	Jensen	ejensen@iwla.org	Izaak Walton League of America	Suite 202 1619 Dayton Avenue St. Paul, MN 55104	Electronic Service	No	OFF_SL_14-162_M-14-162
Eric	Jensen	theericjensen@gmail.com		4421 Bloomington Ave  Minneapolis, MN 55407	Electronic Service	No	OFF_SL_14-162_M-14-162
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	150 S. 5th Street Suite 1200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_14-162_M-14-162

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Heidi	Joos	sbear175@visi.com		3105 W 40th St Minneapolis, MN 55410	Electronic Service	No	OFF_SL_14-162_M-14-162
Clark	Kaml	clark.kaml@state.mn.us	Public Utilities Commission	121 E 7th Place, Suite 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_14-162_M-14-162
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Mark J.	Kaufman	mkaufman@ibewlocal949.org	IBEW Local Union 949	12908 Nicollet Avenue South Burnsville, MN 55337	Electronic Service	No	OFF_SL_14-162_M-14-162
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Julie	Ketchum	N/A	Waste Management	20520 Keokuk Ave  Lakeville, MN 55044	Paper Service	No	OFF_SL_14-162_M-14-162
Brad	Klein	bklein@elpc.org	Environmental Law & Policy Center	35 E. Wacker Drive, Suite 1600 Suite 1600 Chicago, IL 60601	Electronic Service	No	OFF_SL_14-162_M-14-162
Peter	Klein	pmk@sppa.com	Saint Paul Port Authority	380 Saint Peter St Ste 850 345 St. Peter Street Saint Paul, MN 55102-1661	Electronic Service	No	OFF_SL_14-162_M-14-162
Kerry	Klemm	kerry.r.klemm@xcelenergy.com	Xcel Energy Services, Inc	414 Nicollet Mall  Minneapolis, MN 55401	Electronic Service	No	OFF_SL_14-162_M-14-162
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John	Knofczynski		Heartland Consumers Power District	PO Box 248 203 W. Center Street Madison, SD 570420248	Paper Service	No	OFF_SL_14-162_M-14-162
Hank	Koegel	hank.koegel@edf-re.com	EDF Renewable Eenergy	10 2nd St NE Ste 400  Minneapolis, MN 55413-2652	Electronic Service	No	OFF_SL_14-162_M-14-162
Thomas G.	Koehler	TGK@IBEW160.org	Local Union #160, IBEW	2909 Anthony Ln  St Anthony Village, MN 55418-3238	Electronic Service	No	OFF_SL_14-162_M-14-162
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Douglas	Larson	dlarson@dakotaelectric.com	Dakota Electric Association	4300 220th St W  Farmington, MN 55024	Electronic Service	No	OFF_SL_14-162_M-14-162
Peder	Larson	plarson@larkinhoffman.com	Larkin Hoffman Daly & Lindgren, Ltd.	1500 Wells Fargo Plaza 7900 Xerxes Ave S Bloomington, MN 55431	Electronic Service	No	OFF_SL_14-162_M-14-162

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Russell	Olson	N/A	Heartland Consumers Power District	PO Box 248  Madison, SD 570420248	Paper Service	No	OFF_SL_14-162_M-14-162
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William	Pickrell		North American Hydro	PO Box 167 116 State Street Neshkoro, WI 54941	Paper Service	No	OFF_SL_14-162_M-14-162
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Dean	Sedgwick	N/A	Itasca Power Company	PO Box 457  Bigfork, MN 56628-0457	Paper Service	No	OFF_SL_14-162_M-14-162
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