

RE: PUC EIP Staff Comments on Commission Decision Options

August 26, 2025

Solway Solar Project

PUC Docket No. E017/GS-24-309

OA# Docket No. 23-2500-40576

Energy Infrastructure Permitting (EIP) staff¹ has reviewed Commission staff's briefing papers for the Solway Solar project.² In the briefing papers, Commission staff recommends that the Commission issue a site permit for the project with a term of 35 years.³

EIP staff recommends that the Commission, if it issues a site permit, issue a permit with a standard 30-year term. EIP staff is unaware of any solar project permitted by the Commission for a term of other than 30 years. EIP staff believes that consistency in the length of Commission operating permits greatly aids permit compliance. Allowing for Commission permits of varying lengths would lead to unnecessary challenges in tracking permit compliance and in comparing compliance across projects.

EIP staff raised these concerns in its hearing comments.⁴ The administrative law judge's report did not discuss the term of a Commission site permit or provide reasoning for any change from the Commission's standard permit term of 30 years.⁵

Staff appreciates the opportunity to provide these comments. Sincerely,



Tessa Kothlow

Environmental Review Project Manager

¹ On July 1, 2025, Department of Commerce Energy Environmental Review and Analysis (DOC EERA) unit staff moved to the Minnesota Public Utilities Commission Energy Infrastructure Permitting (PUC EIP) unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7) and in response to permitting reform under Minnesota Statute 216I (2024). The review of this application began under and will continue under Minnesota Statute 216E (2023). DOC EERA staff initiated environmental review of this proposal prior to July 1, 2025, and will continue to exclusively perform environmental review duties for this application under 216E (2023) as EIP staff. Likewise, analyst staff at the PUC will continue to exclusively perform analyst duties on this application as PUC staff.

² Staff Briefing Papers, August 18, 2025, eDockets Number [20258-222203-01](#).

³ Id. Decision Option 6f.

⁴ EERA Reply Comments, June 13, 2025, eDockets Number [20256-219893-01](#).

⁵ Administrative Law Judge's Report, July 18, 2025, eDockets Number [20257-221155-01](#).