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December 23, 2013

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

**Re: In the Matter of the Implementation of Solar Energy Standards Pursuant
to 2013 Amendments to Minnesota Statutes, Section 216B.1691
Docket No. E999/CI-13-542**

Dear Dr. Haar:

On November 20, 2013, the Minnesota Public Utilities Commission (the "Commission") issued its initial order in this docket (the "November 2013 Order"). In the November 2013 Order, the Commission found that the North American Industrial Classification System ("NAICS") codes should be the initial screen for determining eligibility for exemption from the State Solar Energy Standard ("SES"). The Commission also found that customers are responsible for filing requests for exclusion from the SES. And the Commission delegated to the Executive Secretary the authority to issue further notices to establish other procedures and timelines necessary to process customer exclusions from the SES.

On December 3, 2013, the Commission issued a notice of comment on customer exclusions from the solar energy standard - phase 2 (the "Notice of Comment"). In the Notice of Comment, the Commission seeks stakeholder input on the following issues: (i) the specific NAICS codes used to screen customers who are potentially exempt; (ii) whether any other criteria should be used to make a final determination of customer eligibility; and (iii) what information potentially exempt customers should be required to provide utilities to assist in the review of any request for exemption. The Notice of Comment set December 23, 2013, as the deadline for initial comments.

On December 17, 2013, the Minnesota Department of Commerce - Division of Energy Resources (the "Department") submitted its initial comment. The Department briefly responded to the three issues set forth in the Notice of Comment. First, the Department listed out specific NAICS codes it believes fits the description of the Solar Energy Standard ("SES") exemption. Second, the Department concluded that there is no basis for using energy-based or demand-based



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screening criteria for SES exemption eligibility. Third, the Department listed NAICS code information, account number, and contact information as information for customers to include in any request for an exemption.

On December 20, 2013, the Solar Exempt Group¹ submitted a letter to Minnesota Power requesting exemption from the SES, consistent with the November 2013 Order. Each member of the Solar Exempt Group fits squarely within the plain language of the statute and NAICS Codes suggested by the Department. And as some of Minnesota Power's largest customers, Minnesota Power is already familiar with the members of the Solar Exempt Group. Therefore, the Solar Exempt Group believes it has submitted all necessary information for Minnesota Power to process its request.

The Solar Exempt Group understands that there are additional issues that the Commission and stakeholders will need to address to ensure compliance with the SES exclusion. The Solar Exempt Group looks forward to participating in that discussion.

Very truly yours,

STOEL RIVES LLP

/s/ Andrew P. Moratka

Andrew P. Moratzka

¹ ArcelorMittal USA (Minorca Mine); Boise White Paper, LLC; Hibbing Taconite Company; Mesabi Nugget Delaware, LLC; Mesabi Mining, LLC; Mining Resources, LLC; NewPage Corporation; Northshore Mining Company; Sappi Cloquet, LLC; Silver Bay Power Corporation; United States Steel Corporation (Keewatin Taconite and Minntac Mine); United Taconite, LLC; and UPM - Blandin Paper Company.

CERTIFICATE OF SERVICE

I, Marion Lemke, hereby certify that I have this day, served a true and correct copy of the following documents to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States Mail at Minneapolis, Minnesota.

SOLAR EXEMPT GROUP'S ("SEG") COMMENT IN RESPONSE TO MINNESOTA PUBLIC UTILITIES COMMISSION'S NOTICE OF COMMENT DATED DECEMBER 3, 2013

In the Matter of the Implementation of Solar Energy Standards
Pursuant to 2013 Amendments to Minnesota Statutes,
Section 216B.1619
Docket No. E999/CI/13-542

Dated this 23rd day of December, 2013.

/s/ Marion Lemke

Marion Lemke

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