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September 3, 2024

Via Electronic Filing

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: NOTICE OF COMMENT PERIOD, DOCKET NO. E015/CI-24-200

Dear Mr. Seuffert:

Nokomis Energy respectfully submits to the Minnesota Public Utilities Commission these Comments in response to the Notice of Comment Period issued by the Commission on June 4, 2024, as extended on July 30, 2024.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please contact me at matthew@nokomisenergy.com or (612) 999-8600 if you have any questions regarding this filing.

Regards,

A handwritten signature in black ink, appearing to read "Matthew D. Melewski", with a long horizontal flourish extending to the right.

Matthew D. Melewski
General Counsel

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

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

IN THE MATTER OF THE IMPACTS OF THE
“CAPACITY” DEFINITION IN MINN. STAT.
§216B.164 AND ASSOCIATED RULES ON NET
METERING ELIGIBILITY FOR RATE-
REGULATED UTILITIES

DOCKET No. E015/CI-24-200

NOKOMIS ENERGY COMMENTS
September 3, 2024

This proceeding follows objections to Dakota Electric Association’s use of the phrase “nameplate rating” in its technical specification manual, in determining net-metering eligibility. On May 22, 2024, the Commission ordered Dakota Electric Association to remove the sentence containing “nameplate rating” and opened this proceeding on the definition of “capacity” for purposes of net-metering eligibility.

On June 4, 2024, the Commission presented for comment the following issue:

“How should the Commission apply the definition of “capacity” in Minn. Stat. § 216B.164 and Associated Rules without creating reliability problems related to net-metering rate eligibly for rate-regulated utilities?”

As will be explained in more detail below, Nokomis believes the Commission should apply the definition of “capacity” as written in the statute, MINN. STAT. § 216B.164, because the definition is clear, and no reliability concerns related to net-metering rate eligibility have been provided.

I. The Definition Of “Capacity” In MINN. STAT. 216.164 Is A Limit On The Amount Of Electricity That Can Be Exported To The Utility At A Single Point In Time

The statute defines “capacity” as:

“the number of megawatts alternating current (AC) at the point of interconnection between a distributed generation facility and a utility's electric system.”

There are two notable elements of this definition. First, the number of megawatts is measured in alternating current (AC). Second, this measurement is to be made at “the point of interconnection between a distributed generation facility and a utility's electric system.” The “point of interconnection” does not appear to be defined elsewhere in state statute, but the

Minnesota Administrative Rules promulgated in furtherance of the statute provide further detail. Specifically, MINN. R. 7835.0100 defines “capacity” similarly as:

“the capability to produce, transmit, or deliver electric energy, and is measured by the number of megawatts alternating current at the point of common coupling between a qualifying facility and a utility’s electric system.”¹

Notably, in place of “point of interconnection,” the rule uses the phrase “point of common coupling.” The Rules further define “point of common coupling” as:

“the point where the qualifying facility’s generation system, including the point of generator output, is connected to the utility’s electric power grid.”²

These definitions make clear that the “capacity” of a system is measured as the maximum number of megawatts alternating current that can be transmitted from the system to the utility’s electric system at a single point in time. As the Department of Commerce noted in its comments on the docket giving rise to this proceeding, this is best described as the “export capacity” of the system.³

II. Nokomis Is Not Aware Of Any “Reliability Problems” From Applying The Definition of Capacity In The Context of Net-Metering Eligibility

At the hearing preceding this comment period, on April 11, 2024, concerns were raised that applying the statutory definition of capacity with respect to net-metering eligibility might impact reliability. This concern gave rise to the instant comment period, which specifically asks about potential “reliability problems.” Stakeholders to this proceeding met to discuss these potential reliability problems on several occasions in May, June and July.

Representatives of Nokomis attended each of these stakeholder meetings. Notwithstanding the purpose of these meetings, and the stated issue in this comment period, Nokomis is not aware of any “reliability problems” advanced by any stakeholder. We look forward to addressing any reliability problems that might yet be raised by other stakeholders to this proceeding.

Nokomis believes that it is appropriate for a utility to ensure that adequate standards or controls are in place to enforce the capacity limitation set forth in statute. For example, if a power control system or inverter derating is used to limit the capacity, a utility might appropriately require different types of certification, or a different inspection at energization. Many such standards and controls are set forth in MNDIP and technical standards, but Nokomis would welcome participation in any further discussion regarding appropriate standards or controls.

¹ MINN. R. 7835.0100 Subp. 4.

² MINN. R. 7835.0100 Subp. 17(a).

³ MN Department of Commerce, *Comments*, Doc. 16-521 at 6 (Jan. 12, 2024).

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Ben	Nelson	benn@cmpasgroup.org	CMMPA	459 South Grove Street Blue Earth, MN 56013	Electronic Service	No	OFF_SL_24-200_Official
David	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	220 South Sixth Street Suite 1300 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_24-200_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Timothy	O'Leary	toleary@llec.coop	Lyon-Lincoln Electric Cooperative, Inc	P.O. Box 639 Tyler, MN 561780639	Electronic Service	No	OFF_SL_24-200_Official
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Wendi	Olson	wolson@otpc.com	Otter Tail Power Company	215 South Cascade Fergus Falls, MN 56537	Electronic Service	No	OFF_SL_24-200_Official
Russell	Olson	rolson@hpcd.com	Heartland Consumers Power District	PO Box 248 Madison, SD 570420248	Electronic Service	No	OFF_SL_24-200_Official
Bethany	Owen	bowen@mnpower.com	Minnesota Power	30 West Superior Street Duluth, MN 55802	Electronic Service	No	OFF_SL_24-200_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Donna	Pickard	dpickardgsss@gmail.com	Genie Solar Support Services	1215 Lilac Lane Excelsior, MN 55331	Electronic Service	No	OFF_SL_24-200_Official
Crystal	Pomerleau	crystal.r.pomerleau@xcelenergy.com	Xcel	N/A	Electronic Service	No	OFF_SL_24-200_Official
David G.	Prazak	dprazak@otpc.com	Otter Tail Power Company	P.O. Box 496 215 South Cascade Street Fergus Falls, MN 565380496	Electronic Service	No	OFF_SL_24-200_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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John C.	Reinhardt	N/A	Laura A. Reinhardt	3552 26th Ave S Minneapolis, MN 55406	Paper Service	No	OFF_SL_24-200_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_24-200_Official
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Darla	Ruschen	d.ruschen@bcrea.coop	Brown County Rural Electric Assn.	PO Box 529 24386 State Highway 4 Sleepy Eye, MN 56085	Electronic Service	No	OFF_SL_24-200_Official
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