

October 13, 2017

Daniel P. Wolf, Executive Secretary
Minnesota Public Utilities Commission
127 7th Place East, Suite 350
St. Paul, MN 55101-2147

Re: In the Matter of the Site Permit issued to Marshall Solar, LLC Petition for the Marshall Solar Project in Lyon County

Comments on Application for Minor Alteration
Marshall Solar Energy Project
Docket No. IP6941/GS-14-1052

Dear Mr. Wolf:

Attached are the comments and recommendations of the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of the Site Permit issued to Marshall Solar, LLC Petition for the Marshall Solar Project in Lyon County

The Application for a Minor Alteration was filed on September 26, 2017 by:

Brian M. Meloy
Stinson Leonard Street
150 South Fifth Street
Suite 2300
Minneapolis, Minnesota 55402
Telephone: (612) 335-1500
brian.meloy@stinson.com

14-1052 – Minor Alteration
October 13, 2017

EERA staff recommends that the Commission approve Marshall Solar's request to construct the equipment shed and authorize a minor alteration of the site permit for the Marshall Solar Project. Staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Steinhauer". The signature is written in black ink and is positioned above the typed name and contact information.

Suzanne Steinhauer, Environmental Review Manager
Energy Environmental Review and Analysis
(651) 539-1843 | suzanne.steinhauer@state.mn.us

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

COMMENTS AND RECOMMENDATIONS OF MINNESOTA DEPARTMENT OF COMMERCE ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS

DOCKET NO. IP-6941/GS-14-1052

Date..... October 13, 2017
EERA StaffSuzanne Steinhauer (651) 539-1843

In the Matter of the Site Permit issued to Marshall Solar, LLC Petition for the Marshall Solar Project in Lyon County

Issues Addressed: These comments address whether the Commission should authorize a minor alteration of the site permit to allow for the addition of a building to store maintenance equipment.

Additional documents and information can be found on
<http://mn.gov/commerce/energyfacilities/Docket.html?Id=34083> or on eDockets
<http://www.edockets.state.mn.us/EFilin/search.jsp> (14-1052).

This document can be made available in alternative formats (i.e. large print or audio) by calling 651-539-1530 (voice).

Introduction and Background

On May 5, 2016, the Commission issued a site permit to Marshall Solar, LLC (Marshall Solar) for the 62.5-megawatt Marshall Solar Project (Project).¹ The Project became operational on January 9, 2017. On September 26, 2017, Marshall Solar applied to the Commission for approval of a minor alteration of the site permit to allow for construction of a building to store maintenance equipment and tools within the fenced area of the site.²

Marshall Solar seeks to construct a steel shed supported by corner poles, similar in appearance to many pole barns located in rural and suburban areas. The proposed shed would be no larger than 30 feet by 50 feet. Marshall Solar proposes to locate the shed immediately north of the Project

¹ Order Issuing a Site Permit, May 5, 2016, eDockets Number [20165-121073-01](#) [hereinafter Site Permit].

² Request for Minor Alteration, September 26, 2017, eDockets Number [20179-135813-01](#) [hereinafter Minor Alteration Request].

substation, in an area that is currently covered with gravel. As proposed, the shed would not be served by water or sewer. Electrical service to the building would be provided through a single-phase circuit from the Project substation, buried to a depth of approximately two feet. Marshall Solar states that the shed does not require a foundation, but a 4-inch floating concrete floor may be constructed within the building.³

On October 2, 2017, the Commission issued a notice soliciting comments on whether the Commission should approve Marshall Solar's minor alteration request.⁴

Regulatory Process and Procedures

A minor alteration is a change in a large electric power generating plant or high voltage transmission line that does not result in "significant changes in the human or environmental impact of the facility."⁵ The Commission has interpreted a minor alteration to be available for existing facilities and for those which have been permitted by the Commission but not yet constructed.⁶

The Commission may authorize the minor alteration or determine that the alteration is not minor and requires a full permitting decision. The Commission may authorize the minor alteration but impose reasonable conditions on the approval.⁷

EERA Staff Analysis and Comments

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff has reviewed Marshall Solar's minor alteration application and the record to date.

Minnesota Rule 7850.4800 provides a succinct, if somewhat generalized, standard for evaluating minor alteration applications – whether the proposed project will result in significant changes in the human and environment impacts of the project. To flesh out this standard, EERA staff used the siting factors of Minnesota Rule 7850.4100. These are the factors considered by the Commission in permitting a new large electric power generating plant. These factors provide appropriate detail for evaluating the significance of potential human and environmental impacts.

After a review of the Marshall Solar's request, EERA staff believes that Marshall Solar's proposed construction of the equipment storage shed will not result in significant changes in the human or environmental impacts of the Project and is eligible for authorization as a minor alteration.

³ Minor Alteration Request, at p. 2.

⁴ Notice of Comment Period on Petition for Minor Alteration, October 2, 2017, eDockets Number [201710-135974-01](#) .

⁵ Minnesota Rule 7850.4800.

⁶ See Commission Order Approving Minor Alteration and Issuing a Route Permit Amendment, January 9, 2013, Docket No. E-002, ET-2/TL-09-1056, eDockets Number [20121-70082-01](#).

⁷ Minnesota Rule 7850.4800, Subp. 3.

Table 1. Changes in Potential Impacts with Respect to Siting Factors

Siting Factor	EERA Comments
A. Human Settlements	No change.
B. Public Health and Safety	No change.
C. Land-Based Economies	No change. The proposed shed is located within the fenced area of the site, in a location currently covered in gravel and not farmed.
D. Archaeological and Historic Resources	No change.
E. Natural Environment	No change. The proposed shed is located within the fenced area of the site, in a location currently covered in gravel.
F. Rare and Unique Natural Resources	No change.
G. Design Options that Maximize Energy Efficiencies, Mitigate Adverse Environmental Impacts, and Accommodate Expansion	No change.
H. Use or Paralleling of Existing Right-of-Way	No change. The proposed building is within the fenced area of the site.
I. Use of Existing Large Electric Power Generating Plant Sites	No change
J. Use of Existing Transportation, Pipeline, and Electrical Transmission Right-of-Way	Not Applicable.
K. Electrical System Reliability	No change.
L. Costs	\$50,000.
M. Adverse Human and Natural Environmental Effects which Cannot be Avoided	No Change
N. Irreversible and Irretrievable Commitment of Resources	No Change

EERA Staff Recommendation

EERA staff recommends that the Commission approve Marshall Solar’s request to construct the equipment shed and authorize a minor alteration of the site permit for the Marshall Solar Project. EERA staff recommends that the proposed shed be constructed consistent with applicable state and local building and electrical codes.