

June 17, 2025

Will Seuffert  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

RE: EERA Exceptions to ALJ Report  
Gopher State Solar Project  
**PUC Docket No.** IP-7119/GS-24-106  
**OAH Docket No.** 24-2500-40416

Dear Mr. Seuffert,

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff has reviewed the Findings of Fact, Conclusions of Law, and Recommendations (ALJ report) issued by Administrative Law Judge Kristien R. E. Butler on June 2, 2025, for the Gopher State Solar Project (project).<sup>1</sup>

EERA appreciates the comprehensive analysis of the record and concurs with Judge Butler's recommendation that the Minnesota Public Utilities Commission (Commission) grant a site permit for the project.

For several permit conditions discussed in the ALJ report, Judge Butler indicates that though proposed revisions to draft site permit conditions may be reasonable, "PUC should decide which final provisions should be incorporated into the DSP that would best suit the requirements of the Project and the requests of those impacted by it."<sup>2</sup> This conclusion was indicated in response to proposed draft site permit conditions relating to vegetative screening, noxious weeds, and migratory birds, among other topics.

Following receipt of the ALJ report, EERA staff conferred with the applicant, Gopher State Solar, to work through the proposed permit revisions in the ALJ report and resolve remaining areas of minor difference. As Gopher State Solar states in its Exceptions to the ALJ Report, there were very limited areas of difference between the condition language recommended by EERA staff and Gopher State Solar.<sup>3</sup> Following this discussion, EERA has reached agreement with Gopher State Solar on revisions that EERA and Gopher State Solar believe best mitigate the potential impacts of the project. These revisions

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<sup>1</sup> Office of Administrative Hearings, Findings of Fact, Conclusions of Law, and Recommendation for the Gopher State Solar Project. eDocket no. [20256-219489-01](#).

<sup>2</sup> Id, see e.g., Finding 217.

<sup>3</sup> Gopher State Solar, Exceptions to the ALJ Report for the Gopher State Solar Project. eDocket no. [20256-219835-01](#).

are related in Gopher State Solar's exceptions to the ALJ report. A summary of these revisions is available in a table format as Attachment A: Gopher State Solar Site Permit Conditions.<sup>4</sup>

EERA supports Gopher State Solar's exceptions to the ALJ report. EERA recommends that its exceptions be adopted by the Commission.

EERA staff appreciates the opportunity to provide these exceptions and is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in purple ink that reads "Jessica Livingston". The signature is written in a cursive, flowing style.

Jessica Livingston  
Environmental Review Manager

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<sup>4</sup> Id, Attachment A: Gopher State Solar Site Permit Conditions.