

November 25, 2014

Via Electronic Mail and U.S. Mail

Dr. Burl Haar
Executive Secretary
Minnesota Public Utilities Commission
121 East Seventh Place, Suite 350
St. Paul, MN 55101

Re: ***In the Matter of the Petition of Xcel Energy for the Approval of a Solar Portfolio to Meet Initial Solar Energy Standard Compliance***

MPUC Docket Nos.: E-002/M-14-162

Dear Dr. Haar:

Pursuant to the Minnesota Public Utilities Commission's ("Commission") November 19, 2014 Notice of Extended Comment Period, NextEra Energy Resources, LLC and Marshall Solar, LLC's hereby submit their Initial Comments in the above-captioned proceedings.

Thank you for your attention to this matter.

Sincerely,

/s/ Brian M. Meloy

Brian M. Meloy

BMM/cw
Attachment

**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

In the Matter of the Petition)
of Xcel Energy for the)
for Approval of a Solar Portfolio) **MPUC Docket Nos.: E-002/M-14-162**
to Meet Initial Solar Energy)
Standard Compliance)

**INITIAL COMMENTS
OF NEXTERA ENERGY RESOURCES, LLC AND MARSHALL SOLAR, LLC**

Pursuant to the Minnesota Public Utilities Commission’s (“Commission”) November 19, 2014 Notice of Extended Comment Period, NextEra Energy Resources, LLC (“NextEra”) and its affiliate Marshall Solar, LLC (“Marshall Solar”) hereby submit their Initial Comments in the above-captioned proceeding. NextEra appreciates the opportunity to submit comments on Xcel Energy Inc.’s (“Xcel”) October 24, 2014 Petition seeking approval of three Power Purchase Agreements (“PPAs”) for utility-scale, solar photovoltaic generation projects, including NextEra’s Marshall Solar Project.

**I.
INITIAL COMMENTS**

NextEra is pleased to be among the solar resources selected by Xcel through a highly-competitive procurement process. In its Petition, Xcel has done a thorough job of outlining the relative merits of the selected projects and NextEra will not repeat those attributes here.¹ Instead, NextEra limits its comments to providing (1) a brief discussion of NextEra’s continuing commitment to Minnesota’s clean energy future through the Marshall Solar Project; and (2) support for Xcel’s request that the Commission determine that the Marshall Solar Project is

¹ NextEra stands ready to respond to any questions or concerns raised by the Commission, the Department of Commerce (“Department”) and other stakeholders in this proceeding.

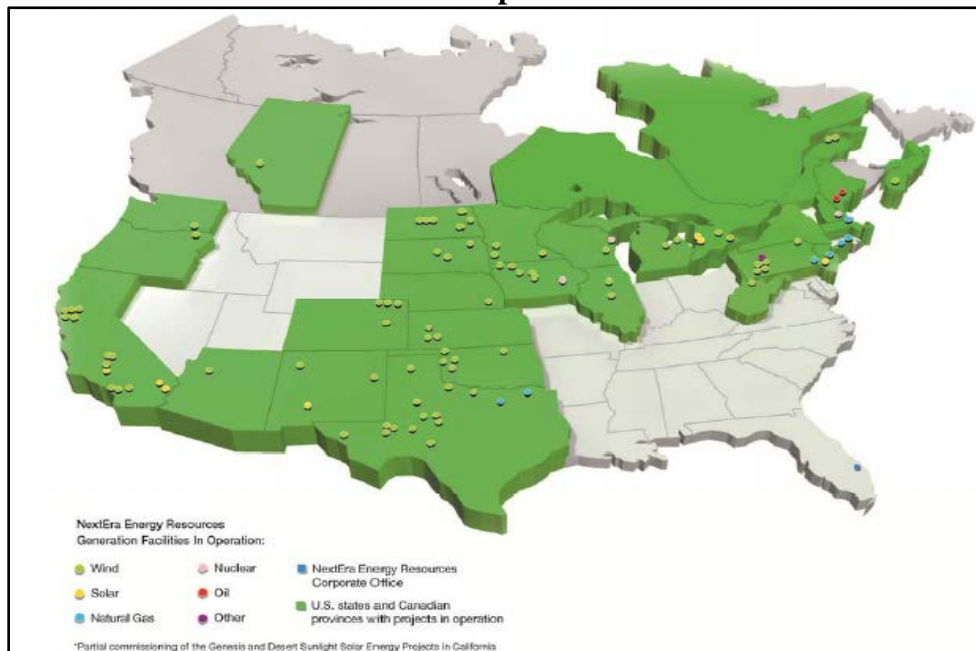
exempt from the Certificate of Need (“CON”) requirements set forth in Minn. Stat. § 216B.243 if the Marshall Solar PPA is ultimately approved by the Commission.

A. NextEra and the Marshall Solar Project

As Xcel notes in its Petition, the proposed Marshall Solar Project is a 62.25 megawatt (“MW”) solar energy facility that would be located near Marshall, Minnesota and developed by NextEra and owned/operated by a wholly owned NextEra subsidiary, Marshall Solar, LLC. NextEra is one of the largest generators of solar energy in the United States and currently owns and operates approximately 771 MW of solar facilities in the United States, Canada, and Spain.

NextEra’s commitment to solar is consistent with its long track record of developing, owning, and operating renewable energy resources. This commitment has allowed NextEra, through its affiliates, to become the largest generator of wind and solar power in North America, with nearly 120 facilities in operation in 26 states and four Canadian provinces with a capacity of over 18,000 MW. Approximately 95 percent of the electricity generated by NextEra facilities comes from clean or renewable fuels. Map 1 below shows NextEra facilities in operation.

Map 1



NextEra has a long-term commitment to both wind and solar with an outlook to significantly expand its fleet of clean energy generating capacity; the Marshall Solar Project will further this goal. The Marshall Solar Project also continues NextEra's commitment to renewable energy in Minnesota through a long-standing partnership with Xcel. Affiliates of NextEra currently have three wind facilities in operation within Minnesota – all under long-term power purchase agreements with Xcel via Northern States Power (“NSP”).²

The Marshall Solar Project will be sited on approximately 464 acres of agricultural land approximately five miles east of Marshall, Minnesota in Lyon County. Marshall Solar selected this site due to its close proximity to existing and planned transmission facilities, existing road infrastructure, and flat, unobstructed terrain. Importantly, in selecting the site, Marshall Solar also concluded that its development will not result in significant environmental impacts. The Marshall Solar Project would utilize a fixed panel racking system that will minimize installation costs and long-term maintenance requirements.

In order to utilize the 30 percent Federal Investment Tax Credit (“ITC”), Marshall Solar plans to start construction of the Marshall Solar Project in spring 2016, with commercial operation occurring prior to the end of 2016. To meet this construction schedule, NextEra and Marshall Solar support Xcel's request for expeditious Commission approval of the PPAs, by December 2014 or January 2015, if possible.³

B. Certificate of Need Requirements

In its Petition, Xcel states that “none of the projects presented in this Petition are subject to Minnesota's Certificate of Need requirements.”⁴ According to Xcel:

² NextEra affiliates own and operate the Lake Benton II wind farm in Pipestone County; Mower County Wind in Mower County; and the Buffalo Ridge wind farm in Lincoln County.

³ Xcel Petition at p. 3.

⁴ *Id.* at p. 5.

[T]he Commission has previously determined in Docket No. E002/RP-04-1752 that if it approves a PPA under the Track 1 bidding process, a Certificate of Need would not be required as provided under Minn. Stat. § 216B.2422, subd. 5. Since the juwi solar, Inc., NextEra, and Community Energy proposals are part of the Track 1 bidding process, a Certificate of Need is not required for any of these projects that the Commission may select.^{5]}

NextEra agrees with Xcel's assessment and requests that the Commission confirm that if the Marshall Solar PPA is approved by the Commission, it would not require a CON.

In addition, while Minn. Stat. § 216B.243 generally requires a CON to construct a generation facility with a total capacity of 50 MW or more, Subd. 9 exempts wind energy conversion systems and solar electric generation facilities from the CON requirement if the Commission determines that the generator would provide a utility with a reasonable and prudent approach for meeting its renewable energy obligations under Minn. Stat. § 216B.1691 after considering at least the following specific factors:

- (1) The size of the facility relative to a utility's total need for renewable resources.
- (2) Alternative approaches for supplying the renewable energy to be supplied by the proposed facility.
- (3) The facility's ability to promote economic development.
- (4) The facility's ability to maintain electric system reliability.
- (5) Impacts on ratepayers.

The Marshall Solar Project provides Xcel with a reasonable and prudent approach for meeting its renewable energy obligations based on these factors.

First, as Xcel's October 24 Petition notes, the projects before the Commission were selected as part of a request for proposals process ("RFP") "[t]o help fulfill its obligations under" Minn. Stat. § 216B.1691, Subd. 2f(a)-(c).⁶ In this respect, if the Commission approves the

⁵ *Id.*

⁶ Xcel Petition at p. 1.

Marshall Solar PPA, it will have concluded that the Project is needed to help Xcel fulfill its obligation under the solar energy mandate.

Second, because the Marshall Solar Project will have been selected from over 100 proposals totaling over 2,100 MW of solar photovoltaic generating capacity,⁷ approval of the PPA will confirm that it is among the best alternatives for providing renewable solar energy to Xcel's customers. As Xcel's Petition makes clear, it thoroughly vetted and rejected numerous alternative proposals before selecting the Marshall Solar Project.

Third, as Xcel notes in its Petition, the Marshall Solar Project will have a positive economic impact on the local economy.⁸ Marshall Solar expects to employ approximately 140-160 workers during the construction phase, and sales and use tax contributions to the State of Minnesota during the construction phase are expected to be approximately \$500,000. Local businesses (stores, hotels, services, housing) will also benefit indirectly from the infusion of construction workers and activity during this time period.

In addition, during the 35-year operational life of the project, Marshall Solar will staff the facility with two to three full-time employees who will be responsible for day-to-day operations. There will also be opportunities for local businesses to contract with Marshall Solar to provide specialized services on-site, such as vegetation control, minor maintenance activities, internal road improvements, and similar work. Finally, Marshall Solar expects to contribute approximately \$140,000 annually in state production taxes during the operational life of the project. The Marshall Solar Project will have a positive economic impact on Lyon County and the State of Minnesota for years to come.

⁷ *Id.* at p. 1.

⁸ *Id.* at pp. 9-10.

Fourth, the interconnection of the Marshall Solar Project through the Midcontinent Independent System Operator, Inc. (“MISO”) interconnection process will ensure that the Project is interconnected efficiently and reliably to the transmission system. The Project, which is currently in the MISO interconnection queue, must meet all of the technical standards and review requirements in the Application Review, System Planning and Analysis, and Definitive Planning phases of the MISO interconnection process before MISO will allow the Project to be electrically connected to the electrical system. Completion of this study process will ensure that the Project is reliably interconnected and that it will not interfere with management of the electrical system.

Fifth, with respect to impacts on ratepayers, as noted above, Xcel determined that the Marshall Solar Project was among the most cost effective projects available for Xcel to meet its solar energy obligations. If the Commission ultimately accepts the Marshall Solar PPA, it will have confirmed the positive economic merits of the Project and determined that its impacts on ratepayers are positive. From a quantitative standpoint, Xcel concluded:

While the 187 MW RFP Portfolio represents the largest utility solar energy acquisition we have made, we estimate that the customer rate impacts will be very small, because the NSP System is so large in comparison. In fact, we expect that soon after initial operation, customers’ overall bills will go from being slightly higher to gradually reducing to a net increase by 2025 of about \$.007/kWh. As shown in Table 4 below, our Strategist dispatch simulation forecasts for most years, the rate impact of the RFP Portfolio will be nearly offset by decreases in the cost of fossil fuel and other purchased energy.^{9]}

Finally, the Commission only recently exempted a wind farm from the CON requirements pursuant to the exemption set forth in Minn. Stat. § 216B.243, Subd. 9 based on its selection in Xcel’s recent wind RFP and the Commission’s approval of the resulting PPA.¹⁰

⁹ Xcel Petition at p. 23.

¹⁰ See *In the Matter of the Petition of Xcel Energy for Approval of the Acquisition of 600 MW of Wind Generation et. al.*, Docket Nos. E-002/M-13-603 and E-002/M-13-716, ORDER APPROVING ACQUISITIONS WITH CONDITIONS at pp. 15-16 (December 13, 2013).

Marshall Solar believes a similar exemption would be appropriate for the Projects with PPAs approved in this proceeding.

**III.
CONCLUSION**

NextEra and Marshall Solar appreciate the opportunity to submit these brief comments and requests that the Commission (1) approve the Marshall Solar PPA; and (2) determine that the Marshall Solar Project is exempt from the CON requirements set forth in Minn. Stat. § 216B.243.

Dated: November 25, 2014

Respectfully submitted,

/s/ Brian M. Meloy

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**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

In the Matter of the Petition)
of Xcel Energy for the) **CERTIFICATE OF SERVICE**
for Approval of a Solar Portfolio)
to Meet Initial Solar Energy)
Standard Compliance) **MPUC Docket Nos.: E-002/M-14-162**

The undersigned hereby certifies that a true and correct copy of the **NEXTERA ENERGY RESOURCES, LLC AND MARSHALL SOLAR, LLC'S INITIAL COMMENTS** has been served today by e-mail and/or U.S. Mail to the following:

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