

March 20, 2025

VIA E-FILING

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

Re: **In the Matter of the Joint Site Permit Application of Summit Lake Solar LLC for a Solar Energy Generating System Site Permit and a Battery Energy Storage System Site Permit for the up to 200 MW Summit Lake Solar Facility and Battery Energy Storage System in Nobles County, Minnesota.**
Docket Nos. IP-7153/GS-25-89 and IP-7153/ESS-25-88

Dear Mr. Seuffert:

Summit Lake Solar LLC (Summit Lake) respectfully submits these reply comments regarding the completeness of its Joint Site Permit Application (Application) for an up to 200 megawatt (MW) alternating current photovoltaic solar energy generating system, associated up to 200 MW battery energy storage system (BESS), and various associated facilities known as the Summit Lake Solar and Storage Project in Summit Lake and Elk Townships, Nobles County, Minnesota (Project).

The Minnesota Public Utilities Commission (Commission) issued a Notice of Comment Period (Notice) on February 27, 2025, and set an initial comment period until March 13, 2025. The Notice requested comments on: (1) Application completeness; (2) whether there were any contested issues of fact; (3) whether an advisory task force should be appointed; (4) whether there any additional procedural requirements that should be considered; and (5) whether the Commission should direct the Executive Secretary to issue authorization to Summit Lake to initiate consultation with the Minnesota State Historic Preservation Office (SHPO).

Department of Commerce, Energy Environmental Review and Analysis

Application Completeness

Initial comments were filed by the Department of Commerce Energy, Environmental Review, and Analysis (DOC-EERA) staff on March 10, 2025. Summit Lake appreciates the DOC-EERA staff's thorough review of the Application and comments on this process going forward. DOC-EERA staff recommended that the Commission accept the Application as substantially complete. Summit Lake appreciates the DOC-EERA's support of a Commission finding that the joint application is complete.

Contested Issues of Fact

Summit Lake agrees with DOC-EERA staff's assessment that there are no contested issues of fact that would require a contested case hearing.

Advisory Task Force

Summit Lake agrees with DOC-EERA staff's assessment that an advisory task force is not warranted. Therefore, the Commission should decline to appoint an advisory task force.

Additional Procedural Requirements

Summit Lake agrees with DOC-EERA staff's recommendation that the matter should be referred to the Office of Administrative Hearings for a public hearing and preparation of a full administrative law judge report with findings of fact, conclusions of law, and recommendations.

Department of Agriculture

On February 26, 2025, Minnesota Department of Agriculture (MDA) filed comments on the Agricultural Impact Mitigation Plan (AIMP) prepared for the Project. Although the comments did not discuss Application completeness, MDA indicated it did not have any comments on the Project's AIMP. Summit Lake appreciates MDA's review and assistance preparing the AIMP for the Project.

Public Comments

In addition to DOC-EERA and MDA, several members of the public also submitted comments during the initial comment period. Although the public comments did not address the questions posed in the Commission's Notice or raise issues related to Application completeness, Summit Lake appreciates the comments and input provided by the public regarding the Project. The primary concerns raised in public comments can be broadly summarized as pertaining to the following topics: potential human and environmental impacts and outreach by Summit Lake to landowners in and around the Project area.

Summit Lake anticipates that the issues raised by the public will be more fully developed in the record as the permitting process moves forward. Issues related to potential human and environmental impacts will be addressed during the forthcoming scoping, environmental review, and public hearing process. Summit Lake respectfully requests that DOC-EERA ensure these comments are included in the scoping process and considered as DOC-EERA prepares the environmental assessment for the Project.

Summit Lake initiated outreach with non-participating landowners prior to filing the Application. On January 14, 2015, Tom Karas, National Grid Renewables, knocked on doors of approximately 15 residences in the Project area. Mr. Karas had in-person conversations with three landowners and telephone conversations with two landowners. Mr. Karas left Project information and his contact information at each residence. On January 28, 2025, Mr. Karas had a telephone conversation with Ms. Debra Rogers about the Project. On February 20, 2025, Summit Lake sent a mailing to adjacent non-participating landowners notifying them that an agreement allowing

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neighbors to participate in the Project (without hosting facilities) would be forthcoming. Summit Lake mailed proposed Solar Neighbor Agreements to approximately 12 landowners on March 10, 2025. As indicated in the public comment submitted by Debra Rogers, Mr. Karas visited Ms. Rogers' residence on March 11, 2025.¹ Mr. Karas will mail a current map of the Project layout, as presented in the Site Permit Application, to Ms. Rogers per her request to receive a copy of the preliminary Project layout.

Summit Lake will continue to engage with landowners and stakeholders during the regulatory review process to address their concerns, to the extent practicable, and will continue to seek opportunities for adjacent landowners to participate in the Project.

Conclusion

Summit Lake respectfully requests that the Commission:

1. Accept the Application as substantially complete and authorize review of the Application under the alternative permitting process under Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900;
2. Find that an advisory task force is not warranted;
3. Refer the matter to the Office of Administrative Hearings for a public hearing and preparation of a full ALJ report with findings of fact, conclusions of law, and recommendations; and
4. Direct the Executive Secretary to issue an authorization to the Summit Lake to initiate consultation with the SHPO.

Given that there has been no comment indicating that the Application is incomplete, this matter appears ready for consideration by the Commission and could be considered by consent calendar.

These reply comments have been e-filed through www.edocket.state.mn.us. A copy of this filing is also being served upon the persons on the Official Service List of record.

Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/ Jeremy P. Duehr

Jeremy P. Duehr

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Email: jduehr@fredlaw.com

¹ Comment by Debra Rogers (March 13, 2025) (eDocket No. [20253-216349-01](#)).

**In the Matter of the Joint Site Permit
Application of Summit Lake Solar LLC for
a Solar Energy Generating System Site
Permit and a Battery Energy Storage
System Site Permit for the up to 200 MW
Summit Lake Solar Facility and Battery
Energy Storage System in Nobles County,
Minnesota.**

MPUC Docket Nos. IP-7153/GS-25-89 and
IP-7153/ESS-25-88

CERTIFICATE OF SERVICE

Breann L. Jurek certifies that on the 20th day of March 2025, she e-filed a true and correct copy on behalf of Summit Lake Solar, LLC, its Completeness Reply Comments via eDockets (www.edockets.state.mn.us). Said document was also served on the Official Service Lists of record on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: March 20, 2025

Signed: /s/ Breann L. Jurek

Fredrikson & Byron, P.A.

60 South Sixth Street, Suite 1500

Minneapolis, MN 55402

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Leakhena	Au	lau@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	GS-25-89
2	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		No	GS-25-89
3	Monika	Davis	monika.davis@merjent.com			1 Main Street Suite 300 Minneapolis MN, 55414 United States	Electronic Service		No	GS-25-89
4	Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	GS-25-89
5	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	GS-25-89
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	GS-25-89
7	Molly	Leisen	mleisen@fredlaw.com	Fredrikson & Byron P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	GS-25-89
8	Alia	Mohammad	amohammad@nationalgridrenewables.com	Summit Lake Solar, LLC		c/o National Grid Renewables 8400 Normandale Lk, Blvd, #1200 Bloomington MN, 55437 United States	Electronic Service		No	GS-25-89
9	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	GS-25-89
10	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		No	GS-25-89

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1	Leakhena	Au	lau@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street, Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	ESS-25-88
2	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	ESS-25-88
3	Monika	Davis	monika.davis@merjent.com			1 Main Street Suite 300 Minneapolis MN, 55414 United States	Electronic Service		No	ESS-25-88
4	Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	ESS-25-88
5	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	ESS-25-88
6	Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA		60 S Sixth St Ste 1500 Minneapolis MN, 55402 United States	Electronic Service		No	ESS-25-88
7	Molly	Leisen	mleisen@fredlaw.com	Fredrikson & Byron P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402 United States	Electronic Service		No	ESS-25-88
8	Alia	Mohammad	amohammad@nationalgridrenewables.com	Summit Lake Solar, LLC		c/o National Grid Renewables 8400 Normandale Lk, Blvd, #1200 Bloomington MN, 55437 United States	Electronic Service		No	ESS-25-88
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10	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		Yes	ESS-25-88

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Darla	Fritz	darla_fritz@yahoo.com				Electronic Service		No	Project Contact List ESS-25-88
2	Malory	Fritz	maloryjo125@gmail.com			18679 McCall Ave Reading MN, 56165 United States	Electronic Service		No	Project Contact List ESS-25-88
3	Timothy	Rudnicki	tim@rudnickilaw.pro	Rudnicki Law		4224 Lynn Avenue Edina MN, 55416 United States	Electronic Service		No	Project Contact List ESS-25-88
4	Stanton	Sanderson	stansand@gmail.com			662 Surryse Rd Lake Zurich IL, 60047 United States	Paper Service		No	Project Contact List ESS-25-88
5	Arlyn	Schaap				707 5th St SW Orange City IA, 51041 United States	Paper Service		No	Project Contact List ESS-25-88