

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

Katie Sieben, Chair
Hwikwon Ham, Commissioner
Audrey Partridge, Commissioner
Joseph Sullivan, Commissioner
John Tuma, Commissioner

**In the Matter of a Formal Complaint by Larry
Rauenhorst against Renville Sibley
Cooperative Power Association**

PUC Docket Number E136/C-26-113

March 26, 2026

Reply Comments of the CLEAR Energy Coalition

The CLEAR Energy Coalition (“CLEAR”) respectfully submits the following reply comments related to the complaint filed by Larry Rauenhorst against Renville Sibley Cooperative Power Association (“RSCPA”) at the Minnesota Public Utilities Commission (“Commission”) on February 6, 2026.

Since our initial comments were filed two things have happened that increase our concerns about this matter.

- 1) **RSCPA changed its interconnection rules in a way that violates Minnesota law, so they are no longer exempt from PUC regulation.**

In its initial comments RSCPA noted that it changed its interconnection rules in 2024. Those changes included this change:

Subp. 4. One-Mile Test for Multiple Qualifying Facilities.

A. Multiple qualifying facilities of the same generation type (e.g., solar) will be considered a single facility for purposes of determining eligibility for average retail rate compensation if those facilities are:

- (1) located within the same one-mile radius; and
- (2) owned in whole or part, directly or indirectly through a business entity, by the same member or members as identified by a taxpayer ID or social security number.

B. A member who owns more than one qualifying facility within the same one-mile radius as set forth in Item A of this subpart may elect average retail rate compensation for one of those facilities, provided it would otherwise meet the eligibility requirements for compensation at that rate. The other qualifying facilities within the one-mile radius shall

be compensated at the applicable avoided cost rate or at an alternative wholesale rate agreed to between the cooperative and the member.

This change violates Minnesota law because Minnesota law does not restrict an owner to just one net metered facility within a mile. If a homeowner has several properties with solar facilities, each with its own meter, within one mile, they are entitled to the average retail rate for the energy that is exported from each one of them as long as each system is under 40 kW. Because this new rule violates section 216B.164, RSCPA no longer has rules that implement 216B.164 as required by subdivision 11. Which means they are no longer exempt from PUC regulation.

2) The PUC denied Mr. Rauenhorst's request for a short extension.

Initial comments in this matter were due on March 16. Reply comments were due just 10 days later, today, March 26. That is a short period of time. On March 19, Mr. Rauenhorst requested an extension so that he could file information requests regarding issues raised in initial comments. On March 20, he filed information requests asking for information that CLEAR would have found useful before it filed its reply comments, like whether RSCPA was still going to try to force arbitration and what the process was to change its rules. This is information that others would have likely found useful as well. It is concerning that the request was denied on March 19 without any explanation, especially considering that no one objected to the request or would be harmed by extending the deadline a few weeks to have a more complete record. The PUC should have the most complete record possible when making decisions about important matters like this one.

Summary of Recommendations

In summary, CLEAR continues to recommend that the Commission investigate the Formal Complaint by Larry Rauenhorst against Renville Sibley Cooperative Power Association for the following reasons:

- The Commission has jurisdiction over the subject matter of the Formal Complaint;
- There are reasonable grounds for the Commission to investigate the allegations in the Formal Complaint; and,
- It is in the public interest for the Commission to investigate the allegations in the Formal Complaint.

Because the material facts related to this matter do not appear to be in dispute and the law is clear, an expedited or informal proceeding would appear to be the appropriate procedure to resolve this dispute as quickly as possible. RSCPA is intentionally violating Minnesota's net metering laws, changing their net metering rules in a manner that violates Minnesota's net metering laws, and apparently trying to insulate themselves from any state regulation. The Commission should immediately direct it to comply with state law, confirm that cooperatives do not have the authority to force binding arbitration, and pay Mr. Rauenhorst and all other cooperative members whose solar facilities qualify the average retail rate.

Thank you for considering our input on this important matter.

Sincerely,

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Minnesota Program Director
Solar United Neighbors

Brian Krohnke
Co-Executive Director
Community Power

Pouya Najmaie
Policy and Regulatory Director
Cooperative Energy Futures

Margaret Levin
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