

LIST OF COMPILED DECISION OPTIONS

Red Text Indicates new Decision Options received after June 23, 2026

Jurisdiction

1. **Determine the Commission has jurisdiction to review the Formal Complaint filed by Hennepin County.** (Hennepin County, DOC, JSP, ELPC/Vote Solar, League of MN Cities)

OR

2. **Determine the Commission does not have jurisdiction to review the Formal Complaint filed by Hennepin County, and dismiss the complaint.** (Xcel)

Reasonable Grounds and Public Interest

3. **Find that there are no reasonable grounds to investigate this matter and a hearing is not in the public interest, and dismiss Hennepin County's complaint.** (Xcel)

OR

4. **Find that there are reasonable grounds to investigate Hennepin County's complaint.** (Hennepin County, DOC, JSP, ELPC/Vote Solar, League of MN Cities)

Procedure

5. Authorize an expedited proceeding pursuant to Minn. R. 7829.1800. Xcel shall file its answer to the complaint within 20 days of service of the order. Any replies must be filed within 20 days of Xcel's answer. (Staff interpretation of Hennepin County, DOC, JSP, and League of MN Cities)

OR

6. Refer the matter to the Court of Administrative Hearings for a contested case proceeding.

OR

Xcel Energy New 7. The Commission dismisses the Hennepin County complaint without prejudice and hereby delegates authority to the Executive Secretary to open a new proceeding open to all utilities and cooperatives to clarify whether the FERC one-mile rule should be applied to the various capacity limits set forth in Minn. R. 7835.

OR

New Tuma 8. The Commission will proceed in accordance with Minn. 7829.1200, "Informal Or Expedited Proceeding," to investigate this complaint. The following process and schedule are based on the parties' affirmative agreement during the July 2, 2026 Agenda Meeting:

- A. Xcel waves the Commission's service of the complaint required by Minn R. 7829.1800, and will file a waiver of service at the same time it files its answer.
- B. Xcel will file its answer on ____.
- C. Xcel and the County will each file one substantive brief and one reply brief. Interested parties may file comments after Xcel and the County's briefs are filed. Consistent with this paragraph C, the Commission authorizes the

Executive Secretary to establish a schedule necessary to adjudicate this matter.

D. The County's opening brief is due _____.

OR/AND

New Tuma 9. Initial Scope. The scope of the initial process of the investigation shall be limited to rate issues identified in Hennepin County's Complaint regarding its two solar facilities and the applicability of FERC's one-mile rule. The Commission will address issues related to the potential award of reasonable costs, disbursements, and attorneys' fees pursuant to Minn. Stat. § 216B.164, subd. 5, and Minn. R. 7835.4550 through a separate process in this docket.

OR

Staff New Decision Option 10. The County may file a primary brief on the merits in which it would lay out the factual and legal authority in support of its claim. Within 20 days of the County's filing, Xcel may file a brief setting forth why the County should not be granted its requested relief. Within 10 days of Xcel's filing, the County and other interested parties may respond to either the County's and/or Xcel's arguments. The Commission will set a time and date for a hearing in which the Commission can hear from all parties and make its decision. (Staff interpretation of Hennepin County's preferred procedure)