

The Commission met on **Thursday, July 31, 2025**, with Chair Sieben and Commissioners Ham, Partridge, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

E-002/CN-22-131; E-002/TL-22-132

In the Matter of the Applications of Xcel Energy for a Certificate of Need and Route Permit for the Minnesota Energy Connection Project in Sherburne, Stearns, Kandiyohi, Wright, Meeker, Chippewa, Yellow Medicine, Renville, Redwood, and Lyon counties in Minnesota

Motion One:

Commissioner Tuma moved that the Commission deny Lisa Hoffman's request for reconsideration.

The motion passed 5–0.

Motion Two:

Commissioner Tuma moved that the Commission deny the Cabreras' request for reconsideration.

The motion passed 5–0.

Motion Three:

Commissioner Tuma moved that the Commission deny the reconsideration requests of Diane Jensen, Linda Nesburg, Norma Schlemmer, and Matt Morley.

The motion passed 5–0.

Motion Four:

Commissioner Tuma moved that the Commission deny the Pladsons' request for reconsideration.

The motion passed 5–0.

Motion Five:

Commissioner Tuma moved that the Commission find that the commitment of Birch Coulee Solar, LLC in MPUC Docket 23-477 to redesign the Project Layout to enable the Minnesota Energy Connection Project (MNEC) transmission line to follow property lines on the ordered alignment adjacent to Ms. Brazil Johnson's property resolves the issues raised in Ms. Brazil Johnson's petition for reconsideration, and therefore deny Ms. Brazil Johnson's petition for reconsideration as moot.

The motion passed 5–0.

IP-7119/GS-23-477

In the Matter of the Application of Birch Coulee Solar LLC for a Site Permit for the up to 125 MW Birch Coulee Solar Project in Renville County, Minnesota

Commissioner Tuma moved that the Commission:

1. Adopt the Administrative Law Judge (ALJ) Report to the extent it is consistent with the Commission's decisions in this matter.
2. Find that the environmental assessment and the record address the issues identified in the scoping decision.
3. Issue a site permit to Birch Coulee Solar LLC for the up to 125 MW Birch Coulee Solar Project in Renville County with the conditions recommended by the ALJ, and with the following modifications as set forth in the Department of Commerce-Energy Environment Review and Analysis' (EERA) May 30, 2025 filing:
 - a. Adopt the special permit condition for the Decommissioning Plan.
 - b. Adopt the revised special permit condition for Fire Risk Assessment.
 - c. Adopt the special permit condition for the Northern Long-Eared Bat.
 - d. Adopt an alteration to the permit for noxious weeds.
 - e. Adopt the special permit condition to provide notification to area landowners concerning project construction.
 - f. Adopt the modified special permit condition for Road Use Agreement.
 - h. Adopt the special permit condition for Bald Eagles.
 - i. Adopt the special permit condition for Renville County Setbacks.

4. Modify section 8.15 of the draft site permit as follows:

Order the Permittee to file updates, annually from the date of permit issuance, on the status of a power purchase agreement or other enforceable mechanism for the sale of the electricity generated by the Project. In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for the sale of the electricity generated by the Project at the time this site permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power. This site permit does not authorize construction of the Project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project. In the event the Permittee does not obtain a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project within four years of the issuance of this site permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this site permit should be amended or revoked. No amendment or revocation of this site permit may be undertaken except in accordance with Minn. R. 7850.5100.

5. Require that the Project be designed and constructed consistent with the ordered anticipated alignment of Xcel Energy Minnesota Energy Connection Project transmission line permitted by the Commission in Docket No. E-002/TL-22-132 that places the transmission line on the property line and south of the existing 115 kV transmission line where the project borders land owned by Ms. Brazil-Johnson.

6. Modify Section 8.12 of the draft site permit as follows:

The Permittee shall prepare an Emergency Response Plan (ERP) in consultation with the emergency responders having jurisdiction over the Project prior to construction. The ERP shall provide for training on responding to emergencies at the site for emergency responders having jurisdiction over the Project at the Permittee's expense. The Permittee shall file the ERP, along with any comments from emergency responders to the Commission at least 14 days prior to the pre-construction meeting and a revised ERP, if any, at least 14 days prior to the pre-operation meeting. At least 14 days prior to the pre-operation meeting the Permittee shall file with the Commission an affidavit of the distribution of the ERP to emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the Project. The Permittee shall obtain and register the Project address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the Project.

7. Modify Section 5.13 of the draft site permit as follows:

The Permittee shall maintain records of its community partnership efforts benefitting Renville County and/or the City of Franklin and provide them upon request of Commission staff.

8. Adopt EERA's modification to Findings 4 and additional Finding 36B.
9. Adopt EERA's modifications to Findings 209 and 210.
10. Delegate authority to the Executive Secretary to modify the proposed site permit to correct typographical or formatting errors and ensure consistency with the Commission's Order.
11. Authorize the Executive Secretary to modify or delete the ALJ Findings of Fact and Conclusions of Law identified herein and any other paragraphs as appropriate for consistency with this decision.

The motion passed 5-0.

E-002,E-256/SA-25-192

In the Matter of Northern States Power Company's Petition to Waive Fees and Requirements Related to the Transfer of Service for Seven Customers Currently Served by the City of Kasota

Commissioner Ham moved that the Commission approve Xcel Energy's request for a one-time exemption to the contribution-in-aid-of-construction (CIAC) provisions of their tariff and additional costs to install new meter sockets.

The motion passed 5-0.

E,G-999/PR-25-2

In the Matter of Utility Cold Weather Rule and Residential Customers Status Data

Commissioner Sullivan moved that the Commission:

1. Require rate-regulated public utilities that have not already done so to submit a compliance filing within 30 days in this docket detailing their current policies and practices on disconnections, service deposits, and payment agreements.
2. Require Minnesota Power to file within 30 days in this docket an updated version of its 2019 Document detailing its current policies and practices on disconnections, service deposits, and payment agreements in a format like that of Xcel Energy and CPE but with a Microsoft Word readability score near an eighth grade reading level.

3. Require rate-regulated public utilities to file in Docket No. E, G-999/PR-YR-2 updated disconnection, service deposit, and payment agreement policies and practices whenever those policies or practices change.
4. Require each rate-regulated public utility that requires down payments or service deposits to include an explanation of how those amounts are determined with its required monthly Residential Customer Status Report filings in Docket no. E, G-999/PR-YR-2.
5. Require rate-regulated public utilities to submit customer-facing language on disconnection, deposit, downpayment, and payment arrangement to the CAO for review and approval.
6. Require rate-regulated public utilities to display on their respective websites and in printed disconnection communication materials CAO-approved language describing their disconnection, service deposit, and payment agreement policies and practices. Printed disconnection communication materials must describe disconnection, service deposit, and payment agreement policies and practices.
7. Require rate-regulated public utilities to detail in their next Residential Customer Status Report the average down-payment amount received from customers—both as a percentage of arrears and as a total dollar value—during CWR and non-CWR months.
8. Delegate authority to the Executive Secretary to include the following prompt to rate-regulated public utilities in the forthcoming Notice of Comment Period to be issued in this docket in September 2025: How do utilities currently communicate information on disconnection and payment arrangement policies to non-English language speakers, especially to people that do not read their native language?
9. Delegate authority to the Executive Secretary to include the following prompt to rate-regulated public utilities in the Notice of Comment Period to be issued in this docket in September 2025: Are utilities' heat-affected customers, particularly those with electricity service necessary to operate gas heating equipment, being provided with appropriate protections during CWR season (October 1 – April 30), including site visits before any disconnections for non-payment? How are utilities ensuring that their records of heat-affected customers are accurate?

10. Require regulated public utilities to provide a discussion in their next, filed in 2026, safety, reliability, and service quality reports about how they manage disconnections due to a landlord's failure to pay, consistent with the requirements of Minn. R. 7820.1400. Regulated utilities must also explain how they have implemented the statutorily required consideration of both financial and extenuating circumstances for payment agreements during CWR and non-CWR months.

The motion passed 5-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: November 26, 2025

A handwritten signature in black ink, appearing to read "Sasha Bergman", with a long horizontal flourish extending to the right.

Sasha Bergman, Executive Secretary