

STATE OF MINNESOTA  
PUBLIC UTILITIES COMMISSION

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May 12, 2025

**RE: In the Matter of Minnesota Power’s Supplemental Filing to its 2023 Transportation Electrification Plan**  
**Docket No. E015/M-23-258**

**DO Positions of Fresh Energy, Union of Concerned Scientists, Sierra Club, and Plug In America**

Fresh Energy, Union of Concerned Scientists, Sierra Club, and Plug In America (collectively the Clean Energy Groups, or CEGs) submit these decision option preferences as requested by PUC staff.

DO #	Description	CEG Position
1	Approve Minnesota Power’s Multi-Dwelling Unit Electric Vehicle Pilot Proposal with the modifications identified below	Support
2	Deny Minnesota Power’s Multi-Dwelling Unit Electric Vehicle Pilot Proposal and require the Company to propose a pilot that tests the effects of MDU-sited EV charging on EV adoption in MDU residents in the Company’s next TEP due November 1, 2025	Oppose
3	Modify the program to exclude the “public,” “workplace,” and “fleet” segments.	Oppose
4	Modify the program to include just level two charging stations and not DCFC	Oppose
5	Require MP to implement time of use rates requirements for end use customers as a condition of any incentive-make-ready infrastructure investments in this program with an option to opt out. If the site host opts not to pass through the	Support

	variable rate to end users, require MP to collect information on the site host's alternative pricing structure to include in its annual report	
6	Require MP to bill MDU site hosts under the rider for residential time-of-day service or the residential electric vehicle service tariff.	Support
7	Require that MDU chargers be capable of active load management.	Support
8	Add "requested incentive as a percent of project costs" criterion to the "financial and timeline" section of the project evaluation framework, assigning the maximum value to projects requesting the lowest percentage of incentives.	No Position
9	Increase the weight of the "financial and timeline" criteria to 40% and correspondingly reduce the weight of the "site and utilization" criteria to 40%.	Oppose
10	Require MP to include a statement on the application form indicating priority will be given to projects that leverage the most nonutility funding at the lowest cost to Minnesota Power	No Position
11	Require MP to file within 60 days a compliance filing with a separate application evaluation category that applies specific weight to the site location being within low and moderate-income communities, disadvantaged communities, tribal lands, environmental justice areas, or communities most impacted by emissions.	Support
12	<p>Require MP to adjust service connection and site supply infrastructure incentive caps such that:</p> <p>A. If one or more applications for a particular project type were unable to be funded under the prior year's budget, MP will reduce the incentive caps for that project type by 10% for the current year.</p> <p>B. Prior-year applications that were not funded due to budget constraints but otherwise meet all minimum pilot requirements may be considered for funding in the current year under the reduced incentive caps.</p>	Oppose

13	Require MP to reserve funds for a minimum of 4 MDUs and 12 ports per year at the MDUs.	Support
14	Require MP to reserve funds for at least one MDU that is 'income qualified' per year. If MP is unable to fulfill this requirement, the Company must explain why in its annual report.	Support
15	Require MP to work with MDUs without sufficient initial capital to finance the investments before rebate disbursement.	Support (see alternative DO language below)
16	In a compliance filing within 60 days, require MP to file the approved budget that will be subject to deferred accounting treatment.	No Position
17	Approve MP's request to waive Contribution in Aid of Construction (CIAC) charges for eligible participants in the MDU Pilot.	Support
18	Approve Minnesota Power's request to establish a rider to recover Site Supply Infrastructure Incentive Rebates, MDU Charger Rebates, and Education and Outreach costs as O&M expenses.	No Position
19	Deny Minnesota Power's request to establish a rider to recover pilot costs.	No Position (see below for CEG note)
20	Authorize MP to use deferred accounting to track and request future recovery of O&M costs of the pilot.	No Position
21	Allow the Company to record a return on O&M expenses at the Company's authorized rate of return in the deferred account	No Position
22	Do not allow the Company to earn a rate of return on the deferred O&M costs.	No Position
23	Authorize Minnesota Power to treat utility-owned service connection capital additions and depreciation expenses as Distribution Plant expenditures and recover them in a future general rate case via deferred accounting.	No Position
24	Allow the Company to record a return on capital expenses at the Company's authorized rate of return in the deferred account.	No Position

25	Do not allow the Company to record a rate of return on the deferred capital expenditures.	No Position
26	Limit deferred accounting to the approved budget/costs of the pilot.	No Position
27	Limit deferred accounting treatment and potential recovery to only the costs incremental to Minnesota Power's most recent rate case.	No Position
28	Limit deferred account treatment to only the cost incurred before the start of the next rate case test year.	No Position
29	Limit MP's recovery of MDU Pilot costs to the budget proposed in MP's December 20, 2024 petition, subject to future prudence review, unless the Company shows by clear and convincing evidence that any costs incurred above that amount were reasonable, prudent, and beyond the Company's control.	No Position
30	Approve Attachment A as the MDU Pilot reporting requirements due June 1 annually. Delegate authority to the Executive Secretary to update the reporting requirements list consistent with the decisions made in this and subsequent EV related dockets.	Support
31	Require Minnesota Power to track the application and additional costs of the CIAC waiver including information on if rebates have incentivized increased construction and utilization of charging equipment.	Support
32	Require MP to track rates and fees charged to end-users.	Support
33	Require MP to track rent at participating MDUs.	Support (Preferred)
34	Require MP to track rent at participating MDUs and if they cannot, explain why in their annual filing.	Support (see alternative DO language below)
35	Require Minnesota Power to make a compliance filing within 60 days of the Commission's Order that includes the following information: a. Tariff pages that outline the MDU Pilot as approved herein. Delegate authority to the Executive Secretary to approve the tariff pages via notice if no objections are filed within 30 days	Support

	<p>of MP's filing.</p> <p>b. The budget impact of providing an additional level two charger rebate per MDU.</p> <p>c. A clarification of how the make-up of renters vs owners at an MDU would impact project eligibility determinations.</p>	
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- The CEGs support decision options 1, 5, 6, 7, 11, 13, 14, 15\*, 17, 30, 31, 32, 33, 34\*\*, and 35.
- The CEGs oppose decision options 2, 3, 4, 9, and 12.
- The CEGs take no position on decision options 8, 10, 16, 18, 19\*\*\*, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29.

\*CEGs propose an alternative DO 15-CEGs: Require MP to work with MDUs without sufficient initial capital **on solutions** to finance the investments before rebate disbursement. **MP is not required to select a proposal from a candidate without initial capital.**

\*\* The CEGs would support this language (although prefer DO 33), but note that the CEGs would also offer an alternative interpretation of Minnesota Power's comments regarding rent tracking and propose alternative DO 34-CEGs: Require MP to track rent at **comparable non-participating** MDUs and if they cannot, explain why in their annual filing.

We note that this preferred DO language would make DOs 33 and DO-34 CEGs complementary and not mutually exclusive.

\*\*\* The CEGs note that the [briefing paper](#) incorrectly attributes CEG support to DO 19.

Sincerely,

/s/ Nicholas Haeg

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## **CERTIFICATE OF SERVICE**

I, Nicholas Haeg, hereby certify that I have this day, served a copy of the following document to the attached lists of persons by electronic filing and electronic mail.

**DO Positions of Fresh Energy, Sierra Club, Union of Concerned Scientists, and Plug In America**

**Docket No. E015/M-23-258**

**Dated this 12<sup>th</sup> day of May 2025**

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