

In the Matter of the Joint Application of Summit Lake Solar, LLC and Summit Lake Storage, 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 the up to 200 MW Battery Summit Lake Energy Storage System in Nobles County, Minnesota.

PUC Docket Numbers: IP-7153/GS-25-89 and IP-7153/ESS-25-88

OAH Docket Number: 21-2500-41031

ALJ Report Exceptions

International Brotherhood of Electrical Workers Local 426 (“IBEW”) and LIUNA Minnesota and North Dakota (“LIUNA”) appreciate the opportunity to provide exceptions to the report filed by Administrative Law Judge Kimberly Middendorf concerning the application of Geronimo Power subsidiary Summit Lake Solar, LLC (“Geronimo”) for construction of a 200 megawatt (“MW”) solar and battery storage project in Nobles County. IBEW and LIUNA appreciate Judge Middendorf’s work in this matter, and largely supports the Findings of Fact, Conclusions of Law and Recommendations contained in her report.

While we generally agree with the report, IBEW and LIUNA write to propose modest changes that will better align the report with the evidentiary record, as well as an additional permit condition designed to ensure that Geronimo follows through on commitments to build the project under the requirements of the Minnesota State Electrical Code using licensed electricians for installation of racking and panels.

In comments filed on April 21, 2026, IBEW and LIUNA supported the potential for the project to provide energy and socioeconomic benefits, but raised concerns regarding apparent discrepancies between statements in the record – contained in both the Initial Application and Environmental Assessment – indicating that the project would be built under the Minnesota State Electrical Code, and statements made by a Geronimo affiliate outside the record that raised doubts about the company’s intentions.

In Geronimo’s reply comments, rather than attempt to clarify the apparent discrepancy, the company responded as if the question posed was whether Geronimo would work with labor unions, rather than whether the company intended to build the project as proposed in its Initial Application using licensed electricians working under the Minnesota State Electric Code. Judge Middendorf’s report did not pick up on this detail, which is important to ensure full transparency for the public and stakeholders regarding the project. While we requested a meeting with Geronimo to discuss the company’s workforce plans, that request was declined.

Based on the record in this case – the only record available to members of the public – it is unclear whether Geronimo intends to follow through with construction as proposed in its initial application. But given apparent discrepancies that the company has not yet resolved, we believe that the record should fully reflect the company’s commitments regarding construction plans, and for permit conditions to ensure that the project is built as proposed. In our view, to allow Geronimo to do otherwise would amount to a bait-and-switch for community members and

organizations that participated in these proceedings or might have done so had Geronimo presented a different construction plan.

Amended Findings of Fact

98. Several commenters, including the International Brotherhood of Electrical Workers Local 426 (IBEW Local 426) and LIUNA Minnesota and North Dakota (LIUNA), expressed support for the Project as proposed, noting the importance of clean, renewable energy sources.¹⁴⁰

98A. IBEW Local 426 and LIUNA noted an apparent inconsistency between information provided by Applicant in the record concerning installation workforce made by a different Geronimo affiliate in other cases.¹ The unions observed that the Solar Facility should be installed by licensed electricians under the Minnesota State Electrical Code according to the Initial Application and EA, but that Geronimo affiliate Elk Creek Solar had raised concerns in other proceedings regarding the feasibility of doing so on the Elk Creek Solar Project. IBEW Local 426 and LIUNA provided examples of past utility-scale projects built successfully in Minnesota by their members along with International Union of Operating Engineers Local 49, and indicated that they would be willing to meet with Applicants to address any concerns.²

98B. On May 4, 2026, Applicants filed reply comments that referenced the comments filed by IBEW Local 426 and LIUNA but did not resolve the apparent inconsistency between statements made by Applicants in this record and statements made by Elk Creek Solar outside the record.³

159A Much of the workforce needed to construct a Solar Facility and BESS will be comprised of Minnesota licensed electricians who will perform assembly and wiring work under the Minnesota State Electrical Code.⁴

Proposed permit condition

The workforce used to construct the Solar Facility shall meet the specifications of the Minnesota State Electrical Code for the assembly and wiring of solar installations.

¹ Ibid.

² Ibid.

³ Ibid.

⁴ Ex. SLS-2 at § 5.2.11.1 (Joint Application); Ex. PUC-28 at § 4.3.8 (EA)

We thank the Commission for its consideration.

Respectfully submitted on June 26, 2026,

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