

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of Xcel Energy’s Application
for a site permit for the up to 250 MW
Sherco 3 Solar Energy Generating System
in Sherburne County, Minnesota

**FIRST
PREHEARING ORDER**

A telephonic prehearing conference was held before Administrative Law Judge Barbara J. Case on February 26, 2024.

Jeremy Duehr, Fredrikson & Bryon, P.A., and Tom Zellmer and Ellen Heine, Xcel Energy, appeared on behalf of Applicant Northern States Power Company, doing business as Xcel Energy (Applicant or Xcel).

Richard Dornfeld, Assistant Attorney General, and Suzanne Steinhauer and Jessica Livingston, Minnesota Department of Commerce, Energy Environmental Review and Analysis (DOC-EERA), appeared on behalf of the DOC-EERA.

Lloyd Stimmler, Chairman, appeared on behalf of Clear Lake Township Board.

Bret Eknes and Jacques Harvieux, of the Public Utilities Commission (PUC or Commission) appeared on behalf of Commission Staff.

Based upon the record and the discussion among the parties and participants at the prehearing conference,

IT IS HEREBY ORDERED:

1. By agreement of the parties and participants at the prehearing conference, the following schedule is adopted:

Milestone	Date
EA Issued	04/22/24
Public Hearing Notice	4/23/2024

Milestone	Date
Any Pre-filed Testimony	4/30/2024
Remote Public Hearings	05/07/24
In-person Public Hearings	05/09/24
Close of Public Hearing Comment Period	05/22/24
Transcripts and Comments submitted	05/29/2024
Applicant's Proposed Findings and Responses to Hearing Comments	06/04/24
EERA's Responses to Public Comments and Reply to Applicant Proposed Findings	06/18/24
Administrative Law Judge (ALJ) Files Report	06/28/24
Commission Meeting: tentative	07/18/24

2. The exact locations and schedule for the Public Hearing shall be negotiated among the Department, Commission Staff, and the Applicant, subject to approval by the Administrative Law Judge.

3. Pre-filed testimony and exhibits may be in any reasonable format that is understandable, logically organized, and capable of being readily cited (either by page and line number, paragraph number, or similar identifier). The parties have agreed to e-File all documents, including pre-filed testimony, using the e-Dockets system of the Minnesota Department of Commerce. The parties agree that such e-Filing constitutes effective service. If a document cannot be filed using the eDocket system, the original document must be filed by delivery or mail with the Administrative Law Judge, and copies served on all parties by the same method.

4. At the start of the public hearing, the Administrative Law Judge will give a short introduction. This will be followed by presentations by Commission staff, the Applicant, and the DOC-EERA, each explaining their roles in the route permitting process.

5. Following these introductions, the public hearings will open for comments and questions by the public. There will be a sign-up sheet available outside the hearing room. Members of the public who wish to speak will be required to sign up on the sign-up sheet. Members of the public will be called in the order that they sign up on the sign-up sheet. Depending on the number of individuals who wish to speak, the Judge may place a time limit on speakers. Members of the public will be reminded that they

may submit written comments as exhibits into the hearing record, or file comments with the Commission.

6. Public hearings will adjourn with the last speaker, even if it is prior to the stated hearing end time. Therefore, members of the public who wish to speak should arrive at the beginning of the public hearing and put their names on the sign-up sheet. To the extent practicable, the public hearings will end at the stated end time, but may be extended, depending on the number of individuals wishing to provide comment.

Dated: March 7, 2024

A handwritten signature in black ink that reads "Barbara Case". The signature is written in a cursive style with a horizontal line underneath it.

BARBARA J. CASE
Administrative Law Judge

March 7, 2024

See Attached Service List

Re: *In the Matter of the Application of Xcel Energy for a Site Permit for the up to 250MW Sherco Solar 3 Solar Energy Generating System in Sherburne County, Minnesota*

**OAH 82-2500-39813
MPUC E002/GS-23-217**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FIRST PREHEARING ORDER** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7874, michelle.severson@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



MICHELLE SEVERSON
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Xcel Energy for a Site Permit for the up to 250MW Sherco Solar 3 Solar Energy Generating System in Sherburne County, Minnesota	OAH Docket No.: 82-2500-39813
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On March 7, 2024, a true and correct copy of the **FIRST PREHEARING ORDER** was served by eService, and United States mail, (in the manner indicated below) to the following individuals:

First Name	Last Name	Email	Company Name
Barbara	Case	barbara.case@state.mn.us	Office of Administrative Hearings
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC
Ian M.	Dobson	ian.m.dobson@xcelenergy.com	Xcel Energy
Richard	Dornfeld	Richard.Dornfeld@ag.state.mn.us	Office of the Attorney General-DOC
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.
Adam	Duininck	aduininck@ncsrcc.org	North Central States Regional Council of Carpenters
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce
Ellen	Heine	ellen.l.heine@xcelenergy.com	Xcel Energy
Stacy	Kotch Egstad	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD
Nathaniel	Runke	nrunke@local49.org	International Union of Operating Engineers Local 49
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates
Suzanne	Steinhauer	suzanne.steinhauer@state.mn.us	Department of Commerce
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources