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January 19, 2024

Via Electronic Filing

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: NOTICE OF COMMENT PERIOD, DOCKET NOs. E999/CI-16-521

Dear Mr. Seuffert:

Nokomis Energy submits to the Minnesota Public Utilities Commission these Comments in response to the Notice of Comment Period issued by the Commission on September 1, 2023, as revised by the Notice of Comment Period issued on November 22, 2023.

Nokomis Energy is pleased to submit these comments in response to the questions posed by the Commission.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please contact me at matthew@nokomisenergy.com or (612) 999-8600 if you have any questions regarding this filing.

Regards,

A handwritten signature in black ink, appearing to read "Matthew D. Melewski", with a long, sweeping horizontal line extending to the right.

Matthew D. Melewski
General Counsel

**STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION**

Katie J. Sieben	Chair
Valerie Means	Commissioner
Matt Schuerger	Commissioner
Joseph K. Sullivan	Commissioner
John A. Tuma	Commissioner

IN THE MATTER OF UPDATING THE
GENERIC STANDARDS FOR THE
INTERCONNECTION AND OPERATION
OF DISTRIBUTED GENERATION
FACILITIES ESTABLISHED UNDER
MINN. STAT. § 216B.1611
DOCKET NO. E999/CI-16-521

DOCKET No. E-999/CI-16-521

NOKOMIS ENERGY COMMENTS

January 19, 2024

Nokomis Energy is a renewable energy developer based in Minneapolis and operating primarily in the upper Midwest. We appreciate this opportunity to comment on this matter of significant public policy.

I. INTRODUCTION

On May 24, 2023, Governor Walz signed into law Minn. Session Laws 2023, HF 2310 (the “Legislation”). Art. 12; Section 75 tasked the Commission with the following:

Sec. 75. Public Utilities Commission Docket; Interconnection

No later than September 1, 2023, the commission shall open a proceeding to establish interconnection procedures that allow customer-sited distributed generation projects up to 40 kilowatts alternating current in capacity to be processed according to schedules specified in the Minnesota Distributed Energy Resources Interconnection Process, giving such projects priority over larger projects that may enjoy superior positions in the processing queue.

On September 1, 2023, the Commission sought proposals on how to modify MNDIP consistent with this directive. Northern States Power Company, d/b/a/ Xcel Energy (“Xcel”), filed a proposal on November 1, 2023.¹ Xcel’s proposal contains two elements: (1) create two separate interconnection queues, one for interconnection applications up to 40 kW and one for all others, and (2) allow Xcel to expand its technical planning standard (“TPS”) to limit projects larger than 40kW to fifty percent (50%) of the equipment rating of either the substation transformer or feeder.

¹ Xcel, *Proposal*, Docket No. 16-521 (Nov. 1, 2023).

II. COMMENTS

Nokomis takes no position on how the Commission should direct Xcel to process interconnection applications up to 40kW, other than to note that Xcel has already been directed to process interconnection applications up to 40kW separately from others.² It is not clear how the current mandatory parallel processing requirement for such projects, in which an application must be processed without regard for other projects in queue, is any different from a separate interconnection queue, in which an application would be processed without regard for larger projects.

Xcel's second proposal, on the other hand, is an affront to the Commission and the Legislature, and must be rejected.

First, the legislative directive is to establish "interconnection procedures" for projects up to 40kW, so that they are processed in accordance with the timelines in MNDIP, giving them priority over larger projects. The directive is not to set aside or create interconnection *capacity* for such projects, which is a different matter altogether. The Commission should therefore reject Xcel's proposal as inconsistent with the law.

Moreover, in the same law, the legislature created a mechanism to create additional interconnection capacity for projects up to 40kW.³ That mechanism involves funding infrastructure improvements that will enable the interconnection of distributed energy resources, specifically projects up to 40kW. Xcel is further directed to set aside the percentage of its current TPS that is made unnecessary through such infrastructure improvements for projects up to 40kW.⁴ In other words, the Legislature has already set up a scheme to create additional interconnection capacity for smaller projects.

Xcel's proposal is also in conflict with the intent of the Legislature. The same law established a new Community Solar Garden program and directed Xcel to source at least three percent (3%) of its generation from distributed sources.⁵ Xcel's proposal – to limit all distributed generation over 40kW to 50% of the applicable equipment rating – will frustrate those objectives, and as such is directly contrary to the intent of the legislature.

Second, Xcel's current TPS is already extremely controversial, having been repeatedly questioned by the Commission as unnecessary, outdated and unsupported by sufficient technical justification.⁶ Xcel's proposal to now dramatically expand the TPS for projects over 40kW is not even advanced as matter of engineering judgment, necessary for safety or reliability, but rather as a policy determination. The Commission does not have the record needed to evaluate such a dramatic proposal. If the Commission wishes to consider any capacity reservation for projects

² PUC, *Order Modifying Practices And Setting Reporting Requirements*, Docket No. 16-521 (Mar. 31, 2022).

³ MINN. STAT. § 216C.378 Subd. 6.

⁴ *Id.*

⁵ MINN. STAT. §§ 216B.1641 Subd. 2, et seq.; 216B.1691 Subd. 2h(b)(1).

⁶ See PUC, Hearing at 1:55:00, et seq., Docket No. 16-521 (Jan. 20, 2021); PUC, Hearing at 1:42:30, et seq., Docket No. 16-521 (Dec. 14, 2023).

up to 40kW, the Commission should direct the matter to be taken up by the Distributed Generation Working Group.⁷

Finally, Xcel's proposal is based on projections that fifty percent (50%) of residential consumers might install solar at some point in the future. That claim is unsupported by any meaningful data, and skips a number of important considerations, like load growth through electrification, distributed generation system upgrades, and improvements in inverter technologies, to name a few.

Xcel's proposal to expand its TPS is arbitrary, unsupported by sufficient justification, and contrary to the regularly expressed intent of the legislature and the Commission.

⁷ Of note, Xcel appears to propose interconnection capacity for smaller projects up to 100% of the equipment rating, which calls into question why Xcel does not just use the 20% of equipment rating Xcel has already set aside with the TPS.

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David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022093	Electronic Service	No	OFF_SL_16-521_Official Service List PUC

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP	33 South Sixth St Ste 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Sergio	Navas	snavas@sundialsolarenergy.com	Sundial Energy, LLC	3363 Republic Ave Saint Louis Park, MN 55426	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Ben	Nelson	benn@cmpasgroup.org	CMMPA	459 South Grove Street Blue Earth, MN 56013	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
David	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	220 South Sixth Street Suite 1300 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Michael	Noble	noble@fresh-energy.org	Fresh Energy	408 Saint Peter St Ste 350 Saint Paul, MN 55102	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Samantha	Norris	samanthanorris@alliantenergy.com	Interstate Power and Light Company	200 1st Street SE PO Box 351 Cedar Rapids, IA 524060351	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Logan	O'Grady	logrady@mNSEIA.org	Minnesota Solar Energy Industries Association	2288 University Ave W St. Paul, MN 55114	Electronic Service	No	OFF_SL_16-521_Official Service List PUC

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Jeff	O'Neill	jeff.oneill@ci.monticello.mn.us	City of Monticello	505 Walnut Street Suite 1 Monticello, MN 55362	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Wendi	Olson	wolson@otpc.com	Otter Tail Power Company	215 South Cascade Fergus Falls, MN 56537	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Russell	Olson	rolson@hcpd.com	Heartland Consumers Power District	PO Box 248 Madison, SD 570420248	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Bethany	Owen	bowen@mnpower.com	Minnesota Power	30 West Superior Street Duluth, MN 55802	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Cezar	Panait	Cezar.Panait@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 55101	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Dan	Patry	dpatry@sunedison.com	SunEdison	600 Clipper Drive Belmont, CA 94002	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Jeffrey C	Paulson	jeff.jcplaw@comcast.net	Paulson Law Office, Ltd.	4445 W 77th Street Suite 224 Edina, MN 55435	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Dean	Pawlowski	dpawlowski@otpc.com	Otter Tail Power Company	PO Box 496 215 S. Cascade St. Fergus Falls, MN 565370496	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Susan	Peirce	Susan.Peirce@state.mn.us	Department of Commerce	85 Seventh Place East St. Paul, MN 55101	Electronic Service	No	OFF_SL_16-521_Official Service List PUC

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Donna	Pickard	dpickardgsss@gmail.com	Genie Solar Support Services	1215 Lilac Lane Excelsior, MN 55331	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Crystal	Pomerleau	crystal.r.pomerleau@xcelenergy.com	Xcel	N/A	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
David G.	Prazak	dprazak@otpc.com	Otter Tail Power Company	P.O. Box 496 215 South Cascade Street Fergus Falls, MN 565380496	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Elizabeth	Psihos	elizabeth.psihos@idealenergies.com		N/A	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Mark	Rathbun	mrathbun@greenergy.com	Great River Energy	12300 Elm Creek Blvd Maple Grove, MN 55369	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Michael	Reinertson	michael.reinertson@avantenergy.com	Avant Energy	220 S. Sixth St. Ste 1300 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
John C.	Reinhardt	N/A	Laura A. Reinhardt	3552 26th Ave S Minneapolis, MN 55406	Paper Service	No	OFF_SL_16-521_Official Service List PUC
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_16-521_Official Service List PUC
Kevin	Reuther	kreuther@mncenter.org	MN Center for Environmental Advocacy	26 E Exchange St, Ste 206 St. Paul, MN 551011667	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Isabel	Ricker	ricker@fresh-energy.org	Fresh Energy	408 Saint Peter Street Suite 220 Saint Paul, MN 55102	Electronic Service	No	OFF_SL_16-521_Official Service List PUC

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Kristi	Robinson	krobinson@star-energy.com	STAR Energy Services, LLC	1401 South Broadway Pelican Rapids, MN 56572	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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Michael	Ruiz	michael.ruiz@xcelenergy.com	Xcel Energy	N/A	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Darla	Ruschen	d.ruschen@bcrea.coop	Brown County Rural Electric Assn.	PO Box 529 24386 State Highway 4 Sleepy Eye, MN 56085	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Robert K.	Sahr	bsahr@eastriver.coop	East River Electric Power Cooperative	P.O. Box 227 Madison, SD 57042	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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Ronald J.	Schwartau	rschwartau@noblesce.com	Nobles Cooperative Electric	22636 U.S. Hwy. 59 Worthington, MN 56187	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Robyn	Sonstegard	robyn.s@northstarelectric.coop	North Star Electric Cooperative, Inc.	PO BOX 719 Baudette, MN 56623	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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Sherry	Swanson	sswanson@noblesce.com	Nobles Cooperative Electric	22636 US Highway 59 PO Box 788 Worthington, MN 56187	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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Roger	Warehime	roger.warehime@owatonnautilities.com	Owatonna Municipal Public Utilities	208 S Walnut Ave PO BOX 800 Owatonna, MN 55060	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Elizabeth	Wefel	eawefel@flahertyhood.com	Flaherty & Hood, P.A.	525 Park St Ste 470 Saint Paul, MN 55103	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
John	Williamson	John.Williamson@state.mn.us	Minnesota Department of Labor and Industry	443 Lafayette Rd N St. Paul, MN 55155-4341	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
Danielle	Winner	danielle.winner@state.mn.us	Department of Commerce	85 7th Place East Suite 500 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_16-521_Official Service List PUC

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Brian	Zavesky	brianz@mrenergy.com	Missouri River Energy Services	3724 West Avera Drive P.O. Box 88920 Sioux Falls, SD 57108-8920	Electronic Service	No	OFF_SL_16-521_Official Service List PUC