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June 7, 2024

VIA E-FILING

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2116

Re: In the Matter of a Petition by CenterPoint Energy for the Approval of its First Natural Gas Innovation Act (“NGIA”) Innovation Plan (“Plan”)

Docket No. G-008/M-23-215

CenterPoint Energy Update Regarding Response to Renewable Natural Gas Request for Proposals

Dear Mr. Seuffert:

CenterPoint Energy Resources Corp d/b/a CenterPoint Energy Minnesota Gas (“CenterPoint Energy” or “the Company”) submits this letter to provide the Minnesota Public Utilities Commission (“the Commission”) and other interested parties with an update regarding the results of the Company’s request for proposals (“RFP”) for the Renewable Natural Gas (“RNG”) RFP Purchase (Pilot C) of the Company’s Natural Gas Innovation Act (“NGIA”) Innovation Plan.

CenterPoint Energy released its RFP on April 15, 2024, with a deadline for responses of May 23, 2024.¹ The Company received 27 proposals from 14 entities. The estimated annual volume of RNG from all proposals received was over 7.7 million MMBTU per year. Thirteen of the proposals include RNG produced in Minnesota or neighboring states. A variety of feedstocks were represented, and CenterPoint Energy received proposals for both bundled RNG and environmental attributes only. CenterPoint Energy is evaluating the bids submitted and has not

¹ As discussed in CenterPoint Energy’s Reply Comments and Supplemental Comments, based on discussions with developers, the Company determined that multiple Minnesota RNG projects would be seeking to secure offtake agreements in the spring and summer of 2024. The timing of the Company’s RNG RFP issued April 15, 2024 was selected to ensure these local projects would have the opportunity to submit proposals for consideration. *In the Matter of CenterPoint Energy’s Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Reply Comments of CenterPoint Energy at 43-44 (Mar. 15, 2024) (“CenterPoint Energy Reply Comments”); Supplemental Comments of CenterPoint Energy at 10 (May 15, 2024) (“CenterPoint Energy Supplemental Comments”). CenterPoint Energy has made its final RFP as well as all responses to the RFP available to the Department of Commerce, Division of Energy Resources; Minnesota Office of the Attorney General – Residential Utilities Division (“OAG”); Citizens Utility Board of Minnesota (“CUB”); and Clean Energy Organizations, consisting of the Minnesota Center for Environmental Advocacy, Fresh Energy, and the Sierra Club.

yet selected winning proposals.² Based on the response received, CenterPoint Energy has high confidence that it will be able to select projects achieving the Company's lifecycle greenhouse gas ("GHG") emissions reduction goals for Pilot C and to include projects within Minnesota or neighboring states.

As described in the Company's March 15, 2024 Reply Comments, in reviewing submissions to the RNG RFP, CenterPoint Energy plans to weigh consideration of whether proposals are for locally produced RNG³ and bundled RNG, along with other relevant factors.⁴ This approach appropriately balances prioritizing in-state resources with cost considerations, GHG reductions, local economic development impacts, resource innovation in the state, and other factors, consistent with the NGIA statute. As noted by LIUNA, "we are in the early stages of RNG market development, and both flexibility and patience will be required to accomplish the objectives of the [NGIA]. If we want the market to respond, we need to make clear that we are committed to supporting diverse resources and will not move too quickly to pull back potential resources."⁵

The results of the Company's RNG RFP provide support for the reasonableness of CenterPoint Energy's approach to consider the geographic location of RNG production and whether the proposal is for bundled or unbundled RNG as factors in weighing RFP submissions while at the same time, not eliminating proposals because they are for RNG produced outside of Minnesota or for an unbundled transaction. As noted above, of the 27 proposals received, 13 include RNG from projects located in Minnesota or neighboring states. Although the majority of proposals are for bundled RNG, CenterPoint Energy also received proposals for unbundled RNG. The proposal with the lowest estimated cost per ton of lifecycle GHG reduction was for unbundled RNG from outside of Minnesota.⁶

While some commenters have advocated that only RNG produced within Minnesota be included under the Company's NGIA Plan and that purchases of unbundled environmental attributes should

² As noted in CenterPoint Energy's Supplemental Comments, the Company anticipates completing preliminary selection of proposals in advance of a Commission hearing in this docket and may have entered into one or more contracts with proposers by the time of the hearing. All contracts will be contingent upon Commission approval of relevant portions of the Company's Plan. CenterPoint Energy Supplemental Comments at 10.

³ CenterPoint Energy Reply Comments at 52-53 (noting that the Company would give preference to RNG supply in or near Minnesota and supply interconnected to CenterPoint Energy's distribution system but that there is a balance between prioritizing in-state resources, GHG reductions, monetary cost, and other factors).

⁴ CenterPoint Energy Reply Comments at 53. Bundled RNG includes both of the two value streams associated with RNG in the same transaction – the natural gas commodity, which is equivalent to geologic natural gas, and the environmental attributes, which reflect all of the attributes and benefits associated with distinguishing RNG from geologic natural gas – the avoidance of greenhouse gas ("GHG") emissions, the avoidance of other emissions, and the character of the feedstock source including whether it is renewable or waste-derived.

⁵ *In the Matter of CenterPoint Energy's Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Supplemental Comments of the Laborers' International Union of North America Minnesota and North Dakota at 1 (May 15, 2024) ("LIUNA Supplemental Comments").

⁶ CenterPoint Energy normalized pricing to allow for cost comparisons between proposals for bundled and unbundled RNG.

be excluded,⁷ such restrictions are unsupported by the language of the NGIA statute, the legislative intent and policy objectives to be served by NGIA, and the Commission's order in Docket No. G999/CI-21-566 establishing frameworks for the evaluation of NGIA plans.⁸

Nothing in the language of the NGIA statute supports excluding out-of-state RNG as part of CenterPoint Energy's NGIA Plan. The NGIA statute defines RNG to mean "biogas that has been processed to be interchangeable with, and that has a *lower lifecycle greenhouse gas intensity than, natural gas produced from conventional geologic sources.*"⁹ This definition recognizes the fact that RNG procured under the NGIA will displace geologic natural gas that is produced and processed outside of Minnesota, reducing the lifecycle GHG intensity of Minnesota customers' natural gas end uses. And while the OAG urges the Commission to read the NGIA to limit consideration of GHG emissions reductions for RNG to only those that occur within the state of Minnesota,¹⁰ such an approach would disregard the NGIA's focus on lifecycle greenhouse gas emissions, the goal of the NGIA to reduce the amount of geologic natural gas, all of which is sourced from outside of Minnesota, and the Commission's Frameworks Order establishing that approval of an NGIA plan shall be based on all of the qualitative and quantitative costs and benefits of the plan including the lifecycle GHG emissions to be avoided or reduced.¹¹

⁷ See, e.g., *In the Matter of CenterPoint Energy's Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Supplemental Comments of the Minnesota Office of the Attorney General – Residential Utilities Division at 2-10 (May 15, 2024) ("OAG Supplemental Comments") (recommending Pilot C be limited to pursuing projects where CenterPoint Energy could procure and distribute the physical RNG for use on its system and that greenhouse-gas emissions reductions from RNG sources outside of Minnesota not be considered); *In the Matter of CenterPoint Energy's Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Supplemental Comments of the Clean Energy Organizations, consisting of the Minnesota Center for Environmental Advocacy, Fresh Energy, and the Sierra Club at 7 (May 15, 2024) ("CEOs Supplemental Comments") (recommending that tiers 3 (RNG in neighboring regions) and 4 (other RNG) be excluded from the RFP); *In the Matter of CenterPoint Energy's Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Supplemental Comments of the Citizens Utility Board of Minnesota at 20-22 (May 15, 2024) ("CUB Supplemental Comments") (recommending that the Commission preclude CenterPoint Energy from procuring unbundled environmental attributes through the RFP or direct the company to assign the lowest priority to purchasing unbundled environmental attributes through the RFP and recommending the Company favor bids submitted by developers able to produce and distribute RNG locally, so long as such bids remain cost-effective).

⁸ *In the Matter of Establishing Frameworks to Compare Lifecycle Greenhouse Gas Emission Intensities of Various Resources, and to Measure Cost Effectiveness of Individual Resources and of Overall Innovation Plans*, Docket No. G-999/CI-21-566, Order Establishing Frameworks for Implementing Minnesota's Natural Gas Innovation Act (June 1, 2022) ("Frameworks Order").

⁹ Minn. Stat. §216B.2427, subd. 1(o).

¹⁰ OAG Supplemental Comments at 6-10 (recommending that greenhouse-gas emissions reductions from RNG sources outside of Minnesota should not be considered in Commission findings under subdivision 2(b)(2) and (7)).

¹¹ Frameworks Order at 21 ("The Commission finds that to approve an innovation plan it must find that the expected qualitative and quantitative benefits of a proposed innovation plan are greater in total than the expected quantitative and qualitative costs of the plan in total."); Frameworks Order at 16-17 ("Expected greenhouse gas intensity values will be used in cost-benefit calculations and when determining the expected greenhouse gas reduction of pilot programs and NGIA plans. . . . The greenhouse gas intensity

The NGIA defines lifecycle greenhouse gas emissions as the aggregate greenhouse gas emissions resulting from the production, processing, transmission, and consumption of an energy resource.¹² In the case of geologic natural gas, production, processing, and most of the transmission occur outside of Minnesota. Although the OAG tries to limit the implications of their argument to only RNG and biogas produced out of state, the statutory definition they are interpreting is not limited to those resources. The logical implication of their argument would require the Commission to disregard emissions from most of the geologic natural gas supply chain and assume a lower lifecycle GHG intensity for geologic natural gas.¹³

While giving greater preference to local RNG, as proposed by the Company, is reasonable in light of the goals of the NGIA, it would be inconsistent with the legislative intent of the NGIA to only allow for the inclusion of in-state RNG. As acknowledged by CUB, “the Company may receive bids submitted from out of state that appear more cost-effective than bids from local developers, and...it is important to consider these cost comparisons when evaluating bids.”¹⁴ LIUNA similarly expressed support for CenterPoint Energy prioritizing purchases of RNG from sources in or immediately adjacent to Minnesota in order to maximize local economic and market development impacts while recognizing the need for flexibility to support the growth of functional RNG markets.¹⁵ Finally, as noted by the Coalition for Renewable Natural Gas, not restricting procurement of RNG based on geographic boundaries will most effectively allow for the deployment and expansion of RNG development, which will encourage and increase the availability of local RNG over time.¹⁶ In addition, while local RNG has benefits for Minnesota, Minnesota also has an interest in achieving GHG reductions wherever it is possible. As noted by the RNG Coalition, there is good reason to consider the lifecycle greenhouse

of renewable natural gas included in an NGIA plan will be calculated in accordance with the Argonne GREET model.”).

¹² Minn. Stat. § 216B.2427, subd. 1(i). The NGIA requires a utility filing an NGIA Plan to provide the total lifecycle greenhouse gas emissions that the utility projects are reduced or avoided through implementing the plan and that an NGIA plan only be approved if the Commission finds the innovative resources included in the plan have a lower lifecycle greenhouse gas intensity than natural gas produced from conventional geologic sources. Minn. Stat. § 216B.2427, subd. 2(b)(4).

¹³ Such a reading would reduce the emissions reduction potential of every innovative resource that reduces or avoids the use of geologic natural gas including power-to-hydrogen, power-to-ammonia, district energy, energy efficiency, and strategic electrification. This is because the emissions reductions for these resources are determined by comparing their lifecycle GHG intensity to the lifecycle GHG intensity of geologic natural gas.

¹⁴ CUB Supplemental Comments at 22.

¹⁵ LIUNA Supplemental Comments at 1.

¹⁶ *In the Matter of CenterPoint Energy’s Natural Gas Innovation Plan*, Docket No. G-008/M-23-215, Reply Comments of the Coalition for Renewable Natural Gas at 2-3 (Mar. 15, 2024) (“RNG Coalition Reply Comments”). The OAG advocates that NGIA spending should only be authorized for the procurement and delivery of RNG that “promotes the development of a local RNG market” and that an NGIA plan must promote local economic development. OAG Comments at 8-9. As discussed by the RNG Coalition and other commenting parties, expansion of RNG markets more broadly will encourage additional local RNG development in Minnesota.

gas emissions of resources as “the effects of climate change are not jurisdiction-specific—a concept well understood by leading climate jurisdictions—which is why the majority of RNG procurement policies do not impose geographic limitations.”¹⁷

A number of commenters have also advocated that the Commission disallow the inclusion of unbundled RNG environmental attributes without the purchase of the associated natural gas commodity through the NGIA.¹⁸ For example, the OAG asserts that purchasing only environmental attributes does not meet the NGIA statute’s requirement that “50 percent or more of the utility’s costs approved by the commission for recovery under the plan are for the procurement and distribution” of low-carbon fuels because unbundled environmental attributes will not be “distributed” to CenterPoint Energy’s customers.¹⁹ The OAG reads the word “and” to require that each cost incurred must be for both the procurement and distribution of the fuel. However, the context of the 50 percent spending requirement makes clear that the legislature recognized some costs related to low-carbon fuels would involve procurement while others would be related to distribution, and that both categories should be counted toward the 50 percent spending requirement.²⁰ The OAG’s interpretation of “and” in the context of the spending requirement is also inconsistent with other provisions of the NGIA. For example, incremental operating costs are defined to include “costs...for the production, processing, pipeline interconnection, storage, and distribution of innovative resources.”²¹ If all costs needed to include production, processing, pipeline interconnection, storage, *and* distribution, then almost nothing will count towards incremental operation costs.

The OAG further argues that “[p]urchasing an environmental attribute, without the associated gas, does not reduce the amount of geologic natural gas that flows to customers. Instead, those customers receive the very same geologic gas they would have without the utility’s purchase.”²² This is not accurate.²³ Renewable thermal credits (“RTCs”) are generated when a Dth of RNG is injected into the natural gas pipeline system, displacing geologic gas.²⁴ It is therefore not

¹⁷ RNG Coalition Supplemental Comments at 3. The OAG even acknowledges that their proposed interpretation of the NGIA Statute as limiting inclusion of out-of-state RNG is “counterintuitive given the global nature and spread of greenhouse gas.” OAG Supplemental Comments at 7.

¹⁸ OAG Supplemental Comments at 4-10 (recommending that the Commission Modify Pilot C to not allow CenterPoint to accept bids under its RFP for solely the environmental attributes of RNG); CUB Supplemental Comments at 20.

¹⁹ OAG Supplemental Comments at 5.

²⁰ See *American Family Ins. Group v. Schroedl*, 616 NW 2d 273 (Minn. 2000) (“Both ‘and’ and ‘or’ are equally ambiguous because both are subject to multiple interpretations, some of which may be the same. For instance, ‘and’ can have a joint or a several meaning while ‘or,’ commonly thought to be exclusive, can also be inclusive, depending on the context.”).

²¹ Minn. Stat. 216B.2427, Subd. 1(r)(ii).

²² OAG Supplemental Comments at 8.

²³ Nor does NGIA require that every innovative resource reduce geologic natural gas throughput. Carbon capture, for example, does not generally reduce natural gas throughput.

²⁴ See <https://www.mrets.org/m-rets-renewable-thermal-tracking-system/>.

necessary to contract for the commodity portion of the RNG in order for RNG to displace geologic natural gas.²⁵

CenterPoint Energy appreciates the opportunity to update the Commission and interested parties on the status of its RNG RFP. The responses to the Company's RFP demonstrate the significant interest in Pilot C and the fact that meaningful opportunities exist to develop and gain knowledge regarding this innovative resource, which is central to the NGIA. As discussed above, it is in the interest of CenterPoint Energy's customers and the state of Minnesota to remain open to considering a variety of potential RNG sources—in state and out of state as well as bundled or unbundled, and nothing within the language of the NGIA requires the Commission to eliminate potentially favorable RNG sources from consideration.

If you have questions, please contact us at Emily.Suppes@centerpointenergy.com, 612-321-5363, or Betsy.Lang@centerpointenergy.com, 612-321-4318.

Sincerely,

/s/ Emily Suppes

Director of Regulatory Affairs

/s/ Betsy Lang

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²⁵ Other states with developed regulatory structures for utility procurement of RNG such, as Washington and Oregon, and transportation fuels markets recognize unbundled purchases as compliant because RTCs are generated when RNG is injected into a gas pipeline. For example, Oregon's RNG rules do not distinguish between "bundled" or "unbundled" RTCs. Instead, Oregon relies on "book-and-claim" accounting, whereby RTCs and the associated attestations regarding environmental claims about the RNG the RTCs were originally associated with can be tracked electronically from the point in time when the RNG is injected into a common carrier pipeline, with no need to track the physical gas itself. Oregon Statute 737.390 to 757.398 establishes a voluntary program under which Oregon's natural gas utilities may fully recover prudent costs associated with the purchase of RNG for their retail natural gas customers, as well as the costs of qualified investments the natural gas utilities make in infrastructure to produce RNG and transport it to their retail customers in Oregon.

CERTIFICATE OF SERVICE

Melodee Carlson Chang, certifies that on Friday, June 7, 2024, she served the attached Update of CenterPoint Energy on the attached service list for Docket No. G-008/M-23-215. The filing was delivered electronically or, if indicated on the attached service list, placed in the U.S. Mail at Minneapolis, Minnesota.

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Brenda	Kyle	bkyle@stpaulchamber.com	St. Paul Area Chamber of Commerce	401 N Robert Street Suite 150 St Paul, MN 55101	Electronic Service	No	OFF_SL_23-215_Official
Carmel	Laney	carmel.laney@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_23-215_Official
Betsy	Lang	betsy.lang@centerpointenergy.com	CenterPoint Energy Minnesota Gas	505 Nicollet Ave Mall, 3rd Floor Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_23-215_Official
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Samuel	Lehr	sam.lehr@rngcoalition.com	Coalition for Renewable Natural Gas	1017 L St #513 Sacramento, CA 95814	Electronic Service	No	OFF_SL_23-215_Official
Robert	Lems	administration@dm-cgs.com	DMT Clear Gas Solutions	19125 SW 125th Ct Tualatin, OR 97062	Electronic Service	No	OFF_SL_23-215_Official
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Annie	Levenson Falk	annielf@cubminnesota.org	Citizens Utility Board of Minnesota	332 Minnesota Street, Suite W1360 St. Paul, MN 55101	Electronic Service	No	OFF_SL_23-215_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Daryl	Maxwell	dmaxwell@hydro.mb.ca	Manitoba Hydro	360 Portage Ave FL 16 PO Box 815, Station Main Winnipeg, MB R3C 2P4 CANADA	Electronic Service	No	OFF_SL_23-215_Official
Taylor	McNair	taylor@gridlab.org		668 Capp Street San Francisco, CA 94110	Electronic Service	No	OFF_SL_23-215_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Matthew	Melewski	matthew@nokomisenergy.com	Nokomis Energy LLC & Ole Solar LLC	2639 Nicollet Ave Ste 200 Minneapolis, MN 55408	Electronic Service	No	OFF_SL_23-215_Official
Joseph	Meyer	joseph.meyer@ag.state.mn.us	Office of the Attorney General-RUD	Bremer Tower, Suite 1400 445 Minnesota Street St Paul, MN 55101-2131	Electronic Service	No	OFF_SL_23-215_Official
Ana Sophia	Mifsud	amifsud@rmi.org	Rocky Mountain Institute (RMI)	N/A	Electronic Service	No	OFF_SL_23-215_Official
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Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_23-215_Official
Greg	Palmer	gpalmer@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Ln PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_23-215_Official
Jessica	Palmer Denig	jessica.palmer-Denig@state.mn.us	Office of Administrative Hearings	600 Robert St N PO Box 64620 St. Paul, MN 55164	Electronic Service	No	OFF_SL_23-215_Official
Antonio	Parisi	aparisi@sacyr.com	Sacyr Environment USA LLC	3330 Washington Blvd Ste 400 Arlington, VA 22201	Electronic Service	No	OFF_SL_23-215_Official
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Audrey	Partridge	apartridge@mncee.org	Center for Energy and Environment	212 3rd Ave. N. Suite 560 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_23-215_Official

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Kevin	Pranis	kpranis@liunagro.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, MN 55117	Electronic Service	No	OFF_SL_23-215_Official
Greg	Pruszinske	gpruszinske@ci.becker.mn.us	City of Becker	PO Box 250 12060 Sherburne Ave Becker, MN 55308	Electronic Service	No	OFF_SL_23-215_Official
Victoria	Reinhardt	Victoria.Reinhardt@co.ramsey.mn.us	Partnership on Waste and Energy	Ramsey County Board Office 15 W. Kellogg Blvd., Ste. 220 St. Paul, MN 55102	Electronic Service	No	OFF_SL_23-215_Official
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_23-215_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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