

January 11, 2021

Mr. Will Seuffert  
Executive Secretary  
Minnesota Public Utilities Commission  
121 Seventh Place East, Suite 350  
St. Paul, Minnesota 55101

**RE: Comments of the Minnesota Department of Commerce, Division of Energy Resources**  
Docket No. E002/C-20-892

Dear Mr. Seuffert,

On December 18, 2020, Sunrise Energy Ventures LLC (Sunrise) filed a Formal Complaint and Request for Expedited Relief against Xcel Energy (Xcel or the Company) regarding interconnection of three community solar garden projects (CSGs). On January 4, 2021, the Minnesota Public Utilities Commission issued a Notice of Comment Period seeking comment on whether the Commission should open an investigation into Sunrise's complaint, and if so, what procedures the Commission should use to investigate the complaint. The Department offers the following comments.

The Commission has jurisdiction to investigate and resolve Sunrise's complaint regarding interconnection practices under §216B.17. In addition, Section 10 of Xcel's tariff contains the Minnesota Distributed Interconnection Process (MN DIP) and specifically provides a dispute resolution process which permits:

5.3.8 At any time, either Party may file a complaint before the Commission pursuant to Minn. Stat. §216B.164, if applicable and Commission rules outlined in Minn. Rules Ch. 829.<sup>1</sup>

The Department concludes that the Commission has jurisdiction to investigate and resolve the Sunrise complaint. With respect to the process that the Commission should follow, the Department recommends using the formal complaint process set forth in Minn. Rules Ch 7829.1800 which sets forth for considering a formal complaint. The process set forth under Minn. Rules 7829.1800 provides Xcel with 20 days from the Commission's Order establishing jurisdiction to file a response to the complaint and an additional 20 days for other parties to respond. The Department recommends the Commission vary the timelines for responses to allow 30 days each for Xcel and other parties to respond. A variance to the time periods for providing comments is permitted under Minn. Rule Ch. 7829.1275 which states:

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<sup>1</sup> Xcel Tariff, Section 10, Sheet 197, 5.3.8.

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Except for time periods set by statute, the commission may vary the time periods established by this chapter on its own motion or at the request of a person for good cause shown. The commission may delegate the authority to vary time periods to the executive secretary.

The Department recommends the Commission find that it has jurisdiction over the complaint and further recommends it establish a process for filing comments and reply comments. The Department is available to answer any questions the Commission may have.

Sincerely,

/s/ SUSAN L. PEIRCE  
Public Utility Rates Coordinator

SLP/ja

**CERTIFICATE OF SERVICE**

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce  
Comments**

**Docket No. E002/C-20-892**

**Dated this 11<sup>th</sup> day of January 2021**

**/s/Sharon Ferguson**

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-892_C-20-892
James	Denniston	james.r.denniston@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, 401-8  Minneapolis, MN 55401	Electronic Service	No	OFF_SL_20-892_C-20-892
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_20-892_C-20-892
Dean	Leischow	dean@sunrisenrg.com	Sunrise Energy Ventures	315 Manitoba Ave  Wayzata, MN 55391	Electronic Service	Yes	OFF_SL_20-892_C-20-892
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_20-892_C-20-892
Angie	Schreiner	angie@sunrisenrg.com	Sunrise Energy Ventures, LLC	315 Manitoba Avenue Suite 200 Wayzata, MN 55391	Electronic Service	Yes	OFF_SL_20-892_C-20-892
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350  Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-892_C-20-892
Lynnette	Sweet	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7  Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_20-892_C-20-892
Joseph	Tierney	joe@sunrisenrg.com	Sunrise Energy Ventures	315 Manitoba Ave  Wayzata, MN 55391	Electronic Service	Yes	OFF_SL_20-892_C-20-892
Curtis	Zaun	curtis@cpzlaw.com		3254 Rice Street  Little Canada, MN 55126	Electronic Service	Yes	OFF_SL_20-892_C-20-892