

January 29, 2026

VIA E-FILING

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

Re: In the Matter of the Application of Castle Rock Solar LLC for a Site Permit for the up to 150 MW Castle Rock Solar Project in Dakota County, Minnesota

Docket No. IP-7137/GS-24-267
CAH Docket No. 65-2500-40800

Dear Ms. Bergman:

Castle Rock Solar LLC (Castle Rock Solar) respectfully submits these exceptions to the January 9, 2026, Findings of Fact, Conclusions of Law, and Recommendation (Report) issued by the Administrative Law Judge in the above-referenced matter.¹ The Report recommends that the Minnesota Public Utilities Commission (Commission) grant a site permit for the Castle Rock Solar Project (Project). The Report is thorough and comprehensively summarizes the record developed in this matter.

1. Use of Power

Paragraph 317 of the Report states that energy from the Project will “be used outside of Minnesota.” But an off taker for the power has not been chosen yet, so the eventual user of power is unknown. As Castle Rock Solar explained in the Application, it is actively marketing the Project to a number of potential off-takers and may sell the power in the form of a Power Purchase Agreement, virtual power purchase agreement, or similar contract, or the Project could be sold in its entirety and owned directly by a utility.² Accordingly, Castle Rock Solar offers the following revision to Paragraph 317:

Castle Rock Solar states that it will select solar panel modules for the Project that are designed to withstand weather events typically experienced in the area. The Project is designed to produce 150 MW

¹ Findings of Fact, Conclusions of Law, and Recommendation (Jan. 9, 2026) (eDockets No. [20261-226701-01](#)).

² Application at 3 (June 16, 2026) (eDockets No. [20251-214065-02](#)).

of energy which will be transmitting into the larger energy grid ~~to be used outside of Minnesota.~~

2. Karst Condition

Castle Rock Solar offers exceptions to the Report regarding Special Condition 5.14, which relates to karst features. By way of background, the Commission's Environmental Review staff (PUC-ER) included a draft site permit with the Environmental Assessment (EA).³ The draft site permit included a karst condition. This condition has been used in one other solar docket, which added the condition without dispute and without citing a source for the 150-foot setback from documented active karst features.⁴ In comments, the Minnesota Department of Natural Resources (MDNR) proposed amendments to the karst condition. PUC-ER agreed with MDNR's amendments.⁵ The PUC-ER proposed Special Condition 5.14 with MDNR's amendments are included below:

The Permittee shall survey for surface karst features within areas mapped by the DNR as Regions Prone to Surface Karst Feature Development. The Permittee shall not locate project infrastructure within 150 feet of documented active karst features and avoid all construction activity within 150 feet of documented active karst features. Areas prone to surface karst feature development are defined as areas underlain by carbonate bedrock with less than 50 feet of sediment cover.

Castle Rock Solar was unable to identify a scientific justification for the 150-foot radius buffer around active karst and none were provided in the EA. MDNR does not have a general karst setback regulation. Accordingly, the conclusion that a 150-foot buffer is required may not be an accurate reflection of the karst buffer that should be used on the site based on the actual karst conditions on the site. Best Management Practices (BMPs) for karst conditions vary based on a number of factors,⁶ Castle Rock Solar believes that the 150-foot buffer referenced in the EA is a high-risk activity buffer, not a buffer to be used for all project features and less buffer distance may be

³ Environmental Assessment Appendix C – Draft Site Permit (October 10, 2025) (eDockets No. [202510-223781-04](#)).

⁴ Environmental Assessment at 145 (October 10, 2025) (eDockets No. [202510-223781-01](#)).

⁵ MDNR Comments at 1-2 (November 3, 2025) (eDockets No. [202511-224630-01](#)).

⁶ Art Kalmes & Eric Mohring, *Sinkhole Treatment to Improve Water Quality and Control Erosion in Southeastern Minnesota*, Karst Geohazards, Beck (ed.) (1995) (available at <https://conservancy.umn.edu/server/api/core/bitstreams/6f615ae2-912a-4237-ae40-c170a189a35c/content>).

adequate for some activities.⁷ For example, a study performed by the U.S. Geological Survey found that a 50-foot setback is generally sufficient.⁸

Castle Rock Solar believes that revisions to Special Condition 5.14 are prudent to better-reflect standard practices for karst geology and ensure infrastructure setbacks are based on the results of site-specific field survey for karst features and determined in coordination with PUC-ER and the MDNR. Castle Rock Solar is currently coordinating with PUC-ER and MDNR to further discuss Special Condition 5.14 and potential revisions to the condition that would allow the buffer width to be determined, in coordination with the PUC-ER and MDNR, based on the findings of the site-specific field survey. Castle Rock will continue to work with PUC-ER and MDNR to provide an update on those discussions before the Commission considers this matter.

3. Use of Union Labor

As previously indicated in this proceeding, Castle Rock Solar is committed to continued conversations with the local labor unions and, since filing its reply comments,⁹ has continued discussions with Laborers International Union of North America (LIUNA) regarding the use of union construction workers to construct the Project. During those discussions, Castle Rock Solar informed LIUNA that it intends to select a contractor that will maximize use of local, union construction workers to construct the Project to the greatest extent feasible. Accordingly, Castle Rock Solar proposes that Draft Site Permit Condition 8.5 revert to the language proposed by PUC-ER in the Draft Site Permit:

The Permittee shall notify the Commission in writing if the Permittee intends to deviate from its commitment to select a contractor that will maximize use of local, ~~craft~~, union construction employees to the greatest extent feasible. This notification shall include a detailed explanation of the rationale for the deviation.

⁷ Castle Rock Solar understands, from working with its consultant, that in general karst reports and management plans include two types of buffers: First, for any sinkholes designated as medium to high risk in karst surveys, a 25 to 50 foot buffer measured from the outer edge (i.e., parapet) of the sinkhole, which is left in an “undisturbed natural state” meaning the buffer area is left untouched (no stripping, grubbing, cutting or removal of vegetation), is generally recommended. Second, an activity buffer measured as a 150-foot radius from the center of the sinkhole in which the following activities are prohibited: (1) storage of fuel or chemicals, (2) parking of vehicles or equipment, (3) maintenance of vehicles or equipment, (4) or any other activity or material storage that could allow contaminants to enter the subsurface by drainage into the subsurface.

⁸ See *Springs, Springsheds, and Karst*, A. Petersen & B. Vondracek, Water quality in relation to vegetative buffers around sinkholes in karst terrain, J. Soil & Water Conservation (2006) (available at <https://pubs.usgs.gov/publication/70028991>).

⁹ Reply Comments at 13 (November 17, 2025) (eDockets No. [202511-225010-01](#)).

In addition, Castle Rock Solar requests that Paragraphs 109, 125, 197, and 330 be updated to reflect Castle Rock Solar's intention to select a contractor that will maximize use of local, union construction workers to construct the Project to the greatest extent feasible.

This document has been e-filed through www.edocket.state.mn.us. A copy of this filing is also being served as designated on the Official Service List of record. Please let me know if you have any questions regarding this filing

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/ Jeremy P. Duehr

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JPD

**In the Matter of the Application of Castle
Rock Solar LLC for a Site Permit for the
up to 150 MW Castle Rock Solar Project in
Dakota County, Minnesota**

CERTIFICATE OF SERVICE

**MPUC Docket No.: IP-7137/GS-24-267
CAH Docket No. 65-2500-40800**

Breann L. Jurek certifies that on the 29th day of January, 2026, she e-filed on behalf of Castle Rock Solar LLC, a true and correct copy of the Exceptions to the Administrative Law Judge Report with the Minnesota Public Utilities Commission via eDockets (www.edockets.state.mn.us).

Said document was also served as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: January 29, 2026

Signed: Breann L. Jurek

Fredrikson & Byron, P.A.
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17	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		No	24-267 Official CC Service List
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