

**STATE OF MINNESOTA  
BEFORE THE PUBLIC UTILITIES COMMISSION**

*In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of its Community Solar Garden Program*

MPUC Docket No. 13-867

**UNITED STATES SOLAR  
CORPORATION’S REQUEST FOR  
RECONSIDERATION OF AUGUST 16,  
2024 ORDER**

On June 20, 2024, United States Solar Corporation (“US Solar”) requested rehearing and reconsideration of the Minnesota Public Utilities Commission’s (“Commission”) May 30, 2024 *Order Approving Community Solar Garden Program Rate-Transition Proposal With Modifications* (“Transition Order”), which transitions ARR-era community solar gardens (“CSGs”) from the Applicable Retail Rate (“ARR”) to the Value of Solar rate (“VOS”).<sup>1</sup> On August 16, 2024, the Commission issued an *Order Denying Requests for Reconsideration of May 30, 2024 Order* (“Reconsideration Order”), which “clarif[ied] that to the extent the May 30 Order may be a departure from the 2014 and 2016 orders, the Commission has authority . . . to depart from its past decisions and finds that it was in the public interest to do so.”<sup>2</sup> Standard Solar thereafter requested reconsideration of this clarifying point in the Reconsideration Order.<sup>3</sup>

Through Standard Solar’s filing, it has come to US Solar’s attention that briefing in an unrelated appeal docket raises a question about the relationship between subsequent requests for reconsideration of Commission orders that modify or clarify earlier orders, and whether parties have preserved issues for appeal. US Solar is cognizant of the prohibition in Minn. R. 7829.3000, subd. 7, against multiple reconsideration requests “upon the same grounds as a former petition that has been considered and denied.” In its own view, US Solar’s request for reconsideration of the Transition Order directly addressed the issues the Commission thereafter sought to clarify in the Reconsideration Order. However, in the absence of an order resolving this question and out of an abundance of caution, US Solar hereby respectfully requests rehearing and reconsideration of the Reconsideration Order to the extent the Commission’s clarification point therein raises issues that

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<sup>1</sup> Commission Order Approving Community Solar Garden Program Rate-Transition Proposal with Modifications, May 30, 2024, eDockets Doc. ID No. [20245-207232-01](#); United States Solar Corporation’s Request for Reconsideration, June 20, 2024, eDockets Doc. ID No. [20246-207814-01](#).

<sup>2</sup> Commission Order Denying Requests for Reconsideration of May 30, 2024 Order, Aug. 16, 2024, eDockets Doc. ID No. [20248-209578-01](#), at 1–2.

<sup>3</sup> Standard Solar Petition for Reconsideration, August 28, 2024, eDockets Doc. ID No. 20248-209827-02, at 1.

were not encompassed by the Transition Order and US Solar's request for reconsideration of the same.

The Transition Order is indeed a departure from the Commission's prior decisions regarding the CSG program and is at odds with the governing statutes, Minn. Stat. §§ 216B.1641 and 216B.164, subd. 10. Even assuming *arguendo* that the Transition Order could be reconciled with those statutes, there is no reasonable basis to depart from the Commission's past decisions, as would be required under and 216B.25. US Solar respectfully refers the Commission to the discussion on these points on pages four through eight and eight through thirteen in its June 20 request for reconsideration of the Transition Order, respectively, which it has attached and incorporates here by reference.<sup>4</sup>

As it stated in its June 20 request for reconsideration, US Solar appreciates the Commission's attempt to balance multiple interests in reaching its determinations in this proceeding. Out of an abundance of caution and to preserve its appeal rights, US Solar respectfully requests the Commission grant rehearing of its Reconsideration Order, reconsider the clarifying point therein, and reject Xcel's proposal, leaving both ARR-era CSGs on the ARR for the duration of their 25-year contracts and the Commission's prior orders intact.

Dated: September 5, 2024

Respectfully submitted,

*/s/ Micah J. Revell*

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<sup>4</sup> United States Solar Corporation's Request for Reconsideration, June 20, 2024, eDockets Doc. ID No. [20246-207814-01](#), at 4–8 (Transition Order is a departure from prior orders), 8–13 (no reasonable basis for departure).