

January 8, 2023

Via Electronic Filing

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

Re: *In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of its Community Solar Garden Program, Docket No. 13-867*

Joint Initial Comments of NextEra Energy Resources, LLC & United States Solar Corporation on Changing ARR-era CSGs from ARR to VOS

Dear Mr. Seuffert:

Pursuant to the Minnesota Public Utilities Commission's ("Commission") October 9, 2023 Notice of Comment Period ("Notice"),¹ NextEra Energy Resources, LLC ("NextEra") and United States Solar Corporation ("US Solar") respectfully submit these Joint Initial Comments to help develop a robust record and assist the Commission in making a determination on the proposal of Northern States Power Company, doing business as Xcel Energy ("Xcel"), to change ARR-era² Community Solar Gardens ("CSGs") from the Applicable Retail Rate ("ARR") to the Value of Solar rate ("VOS") (the "Proposal").³

Both NextEra and US Solar are active solar developers in Minnesota and throughout the country. NextEra possesses extensive experience and expertise in CSG initiatives nationwide and has more than 60 CSG projects in operation, 27 of which are located within the state. NextEra's comprehensive understanding of the regulatory landscape, project financing, and solar technology positions the company as a trusted leader in the industry. Through its CSG expertise, NextEra has provided communities nationwide with accessible and sustainable solar energy options, contributing to a cleaner and more resilient energy future.

¹ eDockets Doc. ID No. [202310-199443-01](#). See also eDockets Doc. ID Nos. [202311-200182-01](#); [202311-200324-01](#); [202311-200806-01](#) (comment period extensions).

² Consistent with the Commission's and Xcel's use of the term, "ARR-era" CSGs include CSGs with applications deemed complete beginning in 2014 when the CSG program opened and ending with applications deemed completed on or before December 31, 2016.

³ See Proposal for Switching ARR-era Community Solar Gardens to Appropriate VOS Rate, September 25, 2023, eDockets Doc. ID No. [20239-199127-01](#).

US Solar is an independent developer, owner, and operator with more than 105 CSG projects built and in operation, 95 of which are located within Minnesota. Many of these CSGs are ARR-era CSGs developed, financed, and operated based on executed contracts with Xcel, which provide for, among other things, Xcel paying ARR bill credits to CSG subscribers in exchange for delivery of subscribed CSG output to Xcel.

NextEra and US Solar respectfully request that the Commission reject Xcel's Proposal. As discussed below, NextEra and US Solar entered into 25-year CSG subscription contracts with their subscribers and 25-year standard CSG contracts with Xcel, both based on the clarity and certainty of the Commission's 2014 order approving Xcel's CSG program. In that order, the Commission assured all stakeholders that the ARR applies for the duration of ARR-era CSG program contracts and directed Xcel to clarify the issue in its tariffed CSG contract. The minutes of the numerous stakeholder workgroup meetings following approval of the CSG program further confirm that all parties, including Xcel, understood the ARR to apply for the 25-year duration of ARR-era CSG contracts.

Granting the Proposal would require the Commission to invalidate that seminal guarantee contained in its nearly 10-year-old order, an action for which no basis exists in law or fact. That course reversal would set the stage for the disruption of executed CSG program contracts that could trigger years of disputes and litigation. Furthermore, the uncertainty that such an action would inject into Minnesota's renewable energy framework is contrary to the public interest, creating a chilling effect that cannot be overstated. If Minnesota is to achieve its aggressive statutory decarbonization goals, participants in the state's clean energy economy must be assured that Minnesota has created a certain and predictable regulatory framework to support development toward these goals.

Finally, even if the Commission had a reasonable basis to depart from its longstanding order, it does not follow that the Commission has the authority to modify existing contracts between the parties, as the Proposal requires. Xcel's request in this regard only further underscores the unprecedented breadth and troubling legal entanglements inherent in the Proposal.

I. Commission Precedent Governing Xcel's CSG Program and Stakeholder Understanding of the Same Make Clear That the ARR Applies for the Duration of ARR-era CSG Contracts.

A. The Commission Ordered the Application of the ARR for the 25-Year CSG Contract Term.

The CSG statute was enacted in 2013 to promote third-party distributed solar energy development and achieve Minnesota's statewide renewable energy standards.⁴ The statute mandates that any CSG plan approved by the Commission must, among other factors, "reasonably allow for the creation, financing, and accessibility of community solar gardens" and "be consistent with the public interest."⁵

⁴ Minn. Stat. § 216B.1641.

⁵ *Id.*, subd. 1(e).

Following extensive comments and stakeholder participation, the Commission approved Xcel's CSG program in its September 17, 2014 Order ("Approval Order").⁶ In the Approval Order, the Commission explicitly recounted that commenters, including the Department of Commerce, "recommended several clarifications to improve the financeability of projects receiving the [ARR]," and noted the "broad agreement that any eventual transition to the [VOS] should not be retroactive. In other words, solar gardens that are approved and interconnect under the [ARR] should continue to receive that rate even after Xcel implements a [VOS] rate for solar gardens."⁷

Ultimately, the Commission found "that it is not in the public interest to approve of a value-of-solar rate for solar gardens at this time and that Xcel should continue to use the [ARR]" because "further discussions" were necessary "to ensure that the solar-garden program reasonably allows for the creation, financing, and accessibility of community solar gardens" under VOS, "as required by statute."⁸ Based on these compelling factors and interests, and in direct response to the comments received and summarized in the Approval Order, the Commission unambiguously directed that "solar-garden projects approved under the [ARR] should be credited at the [ARR] in place at the time of energy generation for the duration of the 25-year contract."⁹

B. The Commission-Approved Contract Term Was Incorporated into the Tariffed Standard CSG Contract, Executed Contracts with Xcel, and Executed Subscriber Agreements.

In the Approval Order, the Commission also ordered Xcel to make specific changes to its CSG program regarding the applicability of the ARR to clarify that "[c]ommunity-solar-garden projects under the [ARR] should be credited at the [ARR] in place at the time of energy generation for the duration of the 25-year contract."¹⁰ Xcel complied with the Approval Order by adding that requirement into the Standard Contract for Solar*Rewards Community (the "Standard CSG Contract"), which is part of its tariffed rate book and provides:

The Bill Credit Type is either the "Standard" Bill Credit or "Enhanced" Bill Credit found at that sheet in the rate book. The Standard Bill Credit is based on the [ARR] Once a Standard or Enhanced Bill Credit applies, that Bill Credit Type applies for the term of the Contract.¹¹

⁶ Commission Order Approving Solar-Garden Plan with Modifications, September 17, 2014, eDockets Doc. ID No. [20149-103114-01](#).

⁷ *Id.* at 8 (emphasis added).

⁸ *Id.* at 6.

⁹ *Id.* at 9 (emphasis added). The Commission also concluded that CSGs "filing complete applications under the [ARR] should be allowed to lock in the REC price for the duration of the 25-year contract." *Id.*

¹⁰ *Id.* at 19 (emphasis added). The Commission also ordered Xcel to clarify in its tariff that CSGs "filing complete applications under the [ARR] should be able to lock in the REC price for the duration of the 25-year contract." *Id.*

¹¹ Xcel Compliance filing, September 29, 2014, eDockets Doc. ID No. [20149-103417-02](#), at PDF pages 23-24, 78. The Standard CSG Contract also provided that "the REC value embedded within the Enhanced Bill Credit will not change during the Contract term." *Id.*; see also Xcel Rate Book, Section No. 9, Sheet No. 69 (Standard CSG Contract).

In reliance on this key economic provision in the Standard CSG Contract, NextEra and US Solar (through their subsidiaries, etc.), like other developers submitting CSG project applications to Xcel prior to 2017, executed versions of the Standard CSG Contract that contain the above language, obligating Xcel to credit CSG output to subscribers at the ARR for the duration of the 25-year contracts. In turn, NextEra– and US Solar–owned CSGs entered into contracts where subscribers purchased the right from the CSGs to receive an allocation of those credits by Xcel. Accordingly, those subscribers became direct third-party beneficiaries of the ARR provision and the executed Standard CSG Contracts generally.¹² Put simply, the 25-year term ordered by the Commission was subsequently hard-coded into legally binding contracts applicable to Xcel, developers, and subscribers.

C. Implementation of the CSG Program Shows That Xcel and Community Solar Stakeholders Have Universally Understood the Approval Order to Require ARR for CSGs Approved Prior to 2017 for the Duration of the Contracts.

Since the Commission’s approval of Xcel’s CSG program, “Xcel has been holding stakeholder workgroup meetings to help guide [the program’s] design and implementation,” the minutes of which the Commission ordered Xcel to file into eDockets.¹³ The workgroup minutes confirm that all parties understood the Approval Order as requiring that “solar-garden projects approved under the [ARR] should be credited at the [ARR] in place at the time of energy generation for the duration of the 25-year contract.”¹⁴ This understanding is explicit in the stakeholder discussions of the ARR that continued in the workgroup meetings for years after the Approval Order and in the subsequent stakeholder discussion leading up to and after the Commission’s first approval of the VOS rate in September 2016.¹⁵

This understanding is also clear from the more than 500 comments opposing the Proposal received in this docket to date—many of them from CSG subscribers that rightfully relied on the Standard

¹² See Standard CSG Contract in Xcel Rate Book, Section No. 9, Sheet No. 83 (“There are no third-party beneficiaries of any Company duty under this Contract *other than the Company’s duty to Subscribers to issue Bill Credits as set forth in this Contract*, and the duty to a financing party under Section 10.d. of this Contract.”) (emphasis added).

¹³ Commission Order Denying Request for Clarification and Setting Public Information Requirements, February 13, 2015, eDockets Doc. ID No. [20152-107323-01](#), at 5.

¹⁴ Xcel Compliance Filing, February 27, 2015, eDockets Doc. ID No. [20152-107758-01](#), at PDF page 58 (quoting December 17, 2014 workgroup minutes).

¹⁵ See, e.g., *id.*; Xcel Compliance Filing, April 13, 2016, eDockets Doc. ID No. [20164-120027-01](#), at PDF pages 9-10 (March 8, 2016 workgroup minutes) (discussing ARR); Xcel Compliance Filing, November 10, 2016, eDockets Doc. ID No. [201611-126434-01](#), at PDF page 6 (October 12, 2016 workgroup minutes) (stating in “Preparing for VOS” section that “Any project that is “deemed complete” prior to 12/31/16 will receive the ARR while those on 1/1/17 will receive the VOS. This is because the program operates by setting the bill credit on the date the project is deemed complete.”); Xcel Compliance Filing, December 15, 2016, eDockets Doc. ID No. [201612-127324-01](#), at PDF pages 5-6 (November 9, 2016 workgroup minutes) (describing ARR extension for projects deemed complete by April 2017); Xcel Compliance Filing, January 13, 2017, eDockets Doc. ID No. [20171-128073-01](#), at PDF page 3 (December 14, 2016 workgroup minutes) (describing “how projects would be impacted” by the “VOS . . . Tariff Filing” and reiterating that projects “filed prior to 12/31/2016 and Deemed Complete” are “locked into the ARR bill credit rate”). When it approved the VOS for the first time, the Commission only “approve[d] the value-of-solar rate for use as the solar-garden bill-credit rate for all solar-garden applications filed after December 31, 2016.” Commission Order Approving Value-of-Solar Rate for Xcel’s Solar-Garden Program, September 6, 2016, eDockets Doc. ID No. [20169-124627-01](#), at 23.

CSG Contract's and their own subscription agreement's 25-year term to calculate long term savings and formulate budgets of all sizes. A sampling of these public comments follows.

- The Winona County Board of Commissioners subscribed to an ARR-era CSG “with an understanding of how the program worked and would work for the 25 years of the contracts [it] entered” and its “residents will lose about \$2 million in savings over the duration of [their CSG] contracts” if the Proposal is approved.¹⁶
- Sibley County similarly cautioned that approving the Proposal “will have an extreme financial implication to Sibley County and its constituents, . . . basically wiping out any savings advantage” gained through the ARR-era CSG contract it agreed to.¹⁷
- Private subscribers have expressed equally compelling arguments, commenting that “i[t] is not fair to change the rules mid-stream on residential solar users who agreed to be pioneers in this industry” and “is especially unfair to low to moderate-income residents that are currently saving money on their electric bills by receiving the [ARR].”¹⁸

Many more commenters expressed similar concerns, including the cities of Sauk Rapids, Maple Grove, Spring Lake Park, St. Clair, St. Paul, Oakdale, Inver Grove Heights, Burnsville, and St. Cloud,¹⁹ Independent School District No. 861 (Winona Area Public Schools),²⁰ and the Metropolitan Council.²¹ The more than 500 public comments are all but unanimous in urging the Commission to reject the Proposal, showing a clear understanding among CSG program stakeholders that the ARR applied for the duration of the 25-year contracts.

¹⁶ Public Comment from Winona County Board of Commissioners, January 2, 2024, eDockets Doc. ID No. [20241-201722-01](#).

¹⁷ Public Comment from Sibley County, November 21, 2023, eDockets Doc. ID No. [202311-200661-01](#).

¹⁸ Public Comment from David Franske on behalf of James Franske, January 1, 2024, eDockets Doc. ID No. [20241-201785-01](#).

¹⁹ Public Comment from City of Sauk Rapids, November 30, 2023, eDockets Doc. ID No. [202311-200840-01](#); Public Comment from City of Maple Grove, January 3, 2024, eDockets Doc. ID No. [20241-201829-01](#); Public Comment from City of Spring Lake Park, January 3, 2024, eDockets Doc. ID No. [20241-201825-01](#); Public Comment from City of St. Clair, January 3, 2024, eDockets Doc. ID No. [20241-201822-01](#); Comment Letter from City of St. Paul, January 5, 2024, eDockets Doc. ID No. [20241-201905-01](#); Public Comment from City of Oakdale, January 8, 2024, eDockets Doc. ID No. [20241-201938-01](#); Public Comment from City of Inver Grove Heights, January 8, 2024, eDockets Doc. ID No. [20241-201936-01](#); Public Comment from City of Burnsville, January 8, 2024, eDockets Doc. ID No. [20241-201928-01](#); St. Cloud, January 8, 2024, eDockets Doc. ID No. [20241-201922-01](#).

²⁰ Public Comment from Independent School District No. 861 (Winona Area Public Schools), January 5, 2024, eDockets Doc. ID No. [20241-201895-01](#).

²¹ Public Comment from Metropolitan Council, January 8, 2024, eDockets Doc. ID No. [20241-201937-01](#).

II. No Reasonable Basis Exists for Converting ARR-era CSGs from ARR to VOS; Nor Is Doing So in the Public Interest.

“[A]lthough an agency is not bound to follow its past decisions, it must provide a reasonable basis for departure from precedent.”²² Indeed, “where evidence in the record differs from previous cases, results may differ as well.”²³ But, where nothing in the record has changed, the Commission’s departure from a prior decision is improper.²⁴ As explained below, no such basis or change in the record exists here. To the contrary, considerations supporting applicability of the ARR for the full 25-year term have only grown since the Commission’s Approval Order.

A. Approving the Proposal Would Undermine the Stability That Was Necessary to Develop and Finance Early CSGs and Remains Necessary for Continued Renewable Energy Development.

First, the Commission ordered that the ARR be applied in the Approval Order because doing so was necessary to ensure the development and financeability of CSG projects, consistent with the CSG statute. The Commission explicitly noted that the VOS was “significantly below the level needed to support the financing and development of solar gardens as required by the applicable statute. . . . and would fail to fully comport with the applicable statute.”²⁵ However, “[i]n contrast, the [ARR] . . . would provide compensation . . . at or near the level shown by the record to be minimally needed to reasonably allow for the financing and development of solar gardens.”²⁶

At the time of the Approval Order, the CSG model was brand new to Minnesota and to states more generally. Importantly, it was also new to third-party capital providers, which needed confidence in the model and the state’s regulatory framework before they would provide the capital required to build actual CSG projects. Based on the ARR (specifically its fixed 25-year term) and much time and effort spent, Minnesota CSG developers were able to convince banks and other capital providers that projects’ revenue risks were low enough to invest and lend capital against. Building further on the financial foundation of the ARR contract, developers and their financiers innovated low-risk “pay as you go” subscription contracts that helped open up the residential market, followed by additional innovation to help expand accessibility to low-income residential subscribers. Minnesota CSG developers remain bound by those contracts with financiers today, just as Xcel remains bound by its contracts with Minnesota’s CSG developers.

²² *In re Detailing Criteria and Standards for Measuring an Elec. Util.’s Good Faith Efforts in Meeting Renewable Energy Objectives under Minn. Stat. 216B.1691*, 700 N.W.2d 533, 539 (Minn. App. 2005) (citing *Petition of N. States Power Gas Util.*, 519 N.W.2d 921, 925 (Minn. App. 1994)); see *Peoples Nat. Gas Co., a Div. of InterNorth, Inc. v. Minn. Pub. Utils. Comm’n*, 342 N.W.2d 348, 352–53 (Minn. App. 1983) (observing reasonable basis required for Commission to depart from precedent and concluding Commission “did not depart from the principles it established” because “what changed the result in the present . . . case was the evidence in the record”).

²³ *N. States Power Gas Util.*, 519 N.W.2d at 925.

²⁴ See *Hibbing Taconite Co. v. Minnesota Pub. Serv. Comm’n*, 302 N.W.2d 5, 12 (Minn. 1980) (affirming district court ruling that Commission decision “was not supported by substantial evidence” because “[t]here is nothing in this record that indicates why the PSC’s position in the [earlier] proceedings was abandoned one year later”).

²⁵ Approval Order at 9.

²⁶ *Id.*

The stability and certainty that were needed in 2014 are equally required today to ensure the continued success of solar development in Minnesota. The thoughtful development of the CSG program and well-reasoned Approval Order are substantial contributors to the success of Minnesota’s CSG program. This progress and earned confidence in the Minnesota market would be undermined if the Proposal were to be approved, signaling to current and would be developers, subscribers, and third-party capital providers that Minnesota is not a stable environment in which to conduct business.

B. Approving the Proposal Would Be Detrimental to Minnesota’s Renewable Energy Standards and Goals.

Second, the solar energy standard enacted alongside the CSG statute not only remains in effect, but Minnesota recently enacted a 100% “carbon-free” standard that “all electric utilities” must achieve by 2040.²⁷ The continued success of Minnesota’s renewable energy initiatives, like the CSG program, remains fundamental to meeting these standards. The RECs sold to Xcel through the ARR-era Standard CSG Contracts have been a key enabler in allowing Xcel to meet its statutory renewable energy requirements and goals. The Proposal’s rejection of a Commission-ordered and statutorily justified contract term would not only harm the CSG program (both existing participants and the program’s future prospects), but it would have a chilling effect on subscribers, developers, investors, and other interested participants in Minnesota’s clean energy economy. If the state is to achieve its aggressive goals, it cannot afford to inject an unprecedented degree of uncertainty and unpredictability in the regulatory framework governing renewable energy and decarbonization.

C. The Facts Supporting Adoption of the ARR Have Not Changed and Redistributing the Costs of the CSG Program Is Not a Reasonable Basis to Reverse Course.

Third, as the sole justification for the Proposal, Xcel emphasizes that the burden of recovering CSG program costs from all customers should be reduced.²⁸ However, neither the facts supporting the Commission’s adoption of the ARR in its Approval Order nor the distribution of ARR-related costs have changed since the Approval Order. All customers, including CSG subscribers, are paying for Xcel to recover CSG costs from both ARR-era and VOS CSGs, and have been doing so since the program’s inception. The CSG program was always designed to recover its costs in this way, which is a common method for addressing renewable energy program costs where all customers—regardless of their direct participation in a given program—benefit through carbon reduction, fossil-fuel cost reduction, local distributed energy generation, defrayed transmission expense, and promotion of environmental attributes. Moreover, all parties—as well as the Commission—understood and even anticipated that the ARR could and likely would increase over time in nominal terms (*i.e.*, to the extent that Xcel’s retail rates increase).²⁹ That the ARR has thus increased over

²⁷ Minn. Stat. § 216B.1691, subds. 2f, 2g.

²⁸ In its proposal, Xcel asserts that transitioning from ARR to VOS will “decrease costs to non-subscribing customers.” Proposal for Switching ARR-era Community Solar Gardens to Appropriate VOS Rate, September 25, 2023, eDockets Doc. ID No. [20239-199127-01](#), at page 1. Xcel also notes the benefit to accepting its proposal would be “to lower the burden of CSGs on non-subscribing customers.” *Id.* at 6.

²⁹ See Approval Order at 8 (“Moreover, to the extent the [ARR] changes over time, it is likely to increase.”); see also Section I.C, *supra* (describing history and compiling docket record and workgroup minutes).

time along with Xcel’s retail rates and general inflation should be a surprise to no one. In fact, from 2015 to 2023, the ARR compound annual growth rates for each subscriber class are *lower* than the rate of general consumer price index inflation over that same period, meaning the ARR has actually decreased in real dollar terms over the course of its lifetime.³⁰

Furthermore, although the Proposal purports to effect a net customer savings, this is incorrect. In reality, Xcel’s Proposal merely redistributes customer cost savings from subscribing customers (who contracted for those savings under the Approval Order) to non-subscribing customers. Such a change would unfairly and disproportionately impact those subscriber customers, forcing them to relinquish contracted cost savings that many have appropriately relied upon for the duration of their 25-year subscription contracts.³¹ Indeed, this dramatic impact to CSG subscribers is even more alarming when compared to the *de minimis* benefit to non-subscribers, when spread across the larger group. Redistributing the costs of the CSG program is not a reasonable basis for approving the Proposal, and Xcel has not provided any other justification for doing so.

III. The Commission Lacks Authority to Modify Existing Contracts Between the Parties.

Setting aside the issue of whether the Proposal *should* be approved, it is doubtful that it *could* be approved as a matter of law. Although the CSG statute expressly grants the Commission the authority to “approve, disapprove, or modify a community solar program,” it notably omits the grant of any authority to unilaterally modify existing contracts executed between CSG developers and Xcel.³² “Any reasonable doubt about the existence of a power in the [C]ommission should be resolved against the exercise of such power.”³³ There is such reasonable doubt here, as the Commission has not been granted the express authority to modify these contracts, and the CSG statute has not changed in that regard since its enactment.³⁴ Furthermore, the bill credit rate (which is essentially a power purchase price) contracted between CSG developers and Xcel for the benefit of subscribers in exchange for the solar power produced by a CSG is fundamentally different from the rates a utility charges to consumers that the Commission traditionally regulates.

Here, the Standard CSG Contract sets forth the proper mechanism for modification of its terms. By incorporating terms from Xcel’s Interconnection Agreement, the Standard CSG Contract provides: “This Agreement can only be amended or modified by a writing signed by both Parties.”³⁵ Xcel

³⁰ See US Solar Petition for Reconsideration and Clarification, September 27, 2023, eDockets Doc. ID No. [20239-199200-01](#), at 8.

³¹ See Section I.C, *supra* (summarizing subscriber comments).

³² See Minn. Stat. § 216B.1641, subd. 1(e).

³³ *In re Excelsior Energy, Inc.*, 782 N.W.2d 282, 289 (Minn. App. 2010).

³⁴ In the Proposal, Xcel raises for the Commission’s consideration recent legislative changes to the CSG program that require income-qualified non-subscribing customers to be excluded from the net cost of CSGs. See Proposal, eDockets Doc. ID No. [20239-199127-01](#), at page 8. However, the legislature’s changes there clearly show that it has the ability to determine how to allocate the costs of the CSG program and could have taken similar measures to reduce or reallocate the costs for ARR-era CSGs. To date, it has not done so.

³⁵ Xcel Rate Book, Section No. 9, Sheet No. 87 (Standard CSG Contract section 15); Xcel Rate Book, Section No. 10, Sheet No. 125 (Xcel’s Interconnection Agreement). This exact section and language has remained unchanged since Xcel’s initial Distributed Generation Energy Tariff filing almost two decades ago. See Xcel Petition for Approval of a Distributed Generation Energy Tariff, December 27, 2004, eDockets Doc. ID No. [99978](#), at PDF page 64 (“This Agreement can only be amended or modified by a writing signed by both Parties.”).

and CSG developers have used this mechanism to amend executed Standard CSG Contracts many times, and Xcel has standing “available amendments” to the Standard CSG Contract for amendments regarding the mechanical-completion deadline, late fees, level of insurance required, use of a single utility meter, and more.³⁶ Thus, by the plain language of their executed Standard CSG Contracts, ARR-era CSG developers and their subscribers have a vested right in the ARR for the duration of their 25-year contracts with Xcel.

For the foregoing reasons, NextEra and US Solar respectfully request the Commission deny Xcel’s proposal to change ARR-era CSGs from the ARR to VOS. NextEra and US Solar appreciate the Commission’s attention to these comments, as well as its thorough consideration of this complex and important issue, and look forward to answering any questions that it may have.

Respectfully submitted,

Stinson LLP

/s/ Micah J. Revell

Micah J. Revell

³⁶ See Xcel’s Community Solar Garden Developer Resources ([link](#)) (under “Next Steps” menu, “Document and Contract Submission” drop-down ribbon).

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Generic Notice	Residential Utilities Division	residential.utilities@ag.stat e.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_13-867_Official
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