

November 17, 2021

Kate Kahlert
Staff Attorney
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101-2147

RE: **Comments of the Minnesota Department of Commerce, Division of Energy Resources**
Docket No. E, ET, IP999/R-12-1246

Dear Ms. Kahlert:

On September 30, 2021 Minnesota Public Utilities Commission (Commission) issued its *DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received* (Notice). The Notice indicated that Commission intends to adopt proposed rules govern the procedures applicable to the Commission's consideration of certificate of need applications, and site and route permit applications.

The Minnesota Department of Commerce, Energy Regulation and Planning unit (DOC-ERP) is providing this letter to state that DOC-ERP supports adoption of the proposed revisions to the certificate of need rules; specifically, Minnesota Rules parts 7849.0010 through 7849.1150. DOC-ERP reviewed the proposed revisions and concludes that they will incorporate statutory criteria governing certificates of need not reflected in the current rules, codify practices that have developed over time, along with updating, improving, and clarifying the existing rules. DOC-ERP takes no position on the proposed revisions to the related environmental review rules of Minnesota Rules 7849.1200 through 7849.2100 and Minnesota Rules chapter 7850.

In DOC-ERP's estimation, the proposed rules streamline and shorten the process for certain applicants in at least three ways. First, the proposed rules eliminate the requirement for independent power producers to provide the same information as rate-regulated utilities, which will reduce the number of petitions requesting exemptions. Second, the proposed rules remove the requirement to prefile a notice petition. Third, the proposed rules remove the process whereby the Department and other interested parties must file comments on completeness, instead making that a streamlined internal process at the Commission.

DOC-ERP recommends that the Commission **adopt the proposed revisions to Minnesota Rules 7849.0010 through 7849.1150** and is available to answer any questions the Commission may have.

Sincerely,

/s/ Steve Rakow
Analyst Coordinator

Sr/ar
Attachment

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. E, ET, IP999/R-12-1246

Dated this 17th day of November 2021

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Courtney	Ahlers	courtney.ahlers@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd N St. Paul, MN 55155	Electronic Service	No	OFF_SL_12-1246_Official
Randy	Anderton	randerton@rpu.org	Rochester Public Utilities	4000 East River Road NE Rochester, MN 55906	Electronic Service	No	OFF_SL_12-1246_Official
Jennifer	Berquam	jberquam@mncounties.org	Minnesota Counties	N/A	Electronic Service	No	OFF_SL_12-1246_Official
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	200 S 6th St Ste 4000 Minneapolis, MN 554021425	Electronic Service	No	OFF_SL_12-1246_Official
Board	Chair	N/A	Sherburne County Board of Commissioners	13880 Business Center Sherburne County Government Center Elk River, MN 55330-1692	Paper Service	No	OFF_SL_12-1246_Official
Jean	Christoffels	jchristoffels@co.murray.mn.us	Murray County Environmental Services	2500 28th Street P.O. Box 57 Slayton, MN 56172	Electronic Service	No	OFF_SL_12-1246_Official
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_12-1246_Official
Stacy	Dahl	sdahl@minnkota.com	Minnkota Power Cooperative, Inc.	5301 32nd Ave S Grand Forks, ND 58201	Electronic Service	No	OFF_SL_12-1246_Official
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U10074
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U10130
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U10148
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U10415
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U10727
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U12000
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Marshall MN 56258

U10657
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U10680
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U10715
New Ulm Public Utilities Comm. - Electric
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U10720
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U10688
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U10707
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U10718
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U10726
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U10787
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U10843
Rochester Public Utilities
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Shelly Electric Dept.
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Shelly MN 56581

U10936
South Central Electric Association
Ronald Horman Chief Executive Officer
PO Box 150
County Road 57 West
St. James MN 56081

U10945
Springfield Public Utilities
Scott Johnson Supt.
14 North Marshall Avenue
Springfield MN 56087

U10791
Peterson Electric Dept.
P. Benson
118 Fillmore St
PO Box 67
Peterson MN 55962

U10798
Princeton Public Utilities Commission
Keith Butcher General Manager
907 1st St
PO Box 218
Princeton MN 55371

U10831
Red Lake Electric Coop.
Stephanie Johnson General Manager
PO Box 430
Red Lake Falls MN 56750

U10836
Redwood Falls Public Utilities
Charles Heins Superintendent
PO Box 526
Redwood Falls MN 56283-0526

U10849
Roseau Electric Cooperative Inc.
Tracey Stoll General Manager
1107 3rd St NE
Roseau MN 56751

U10854
Runestone Electric Association
Al Haman CEO
6839 Power LN SW
Alexandria MN 56308

U10919
Sauk Centre Light & Power Comm.
Debbie Boyer General Manager
101 Main St S
PO Box 128
Sauk Centre MN 56378

U10940
Sioux Valley Southwestern Electric Cooper
Tim McCarthy General Manager/CEO
PO Box 216
Accounts Payable
Colman SD 57017

U10941
Spring Grove Munic. Utility
Lyn Solberg Deputy Clerk
118 1st Ave NW
Spring Grove MN 55974

U10947
St. Charles Light & Water Dept.
Nick Koverman City Administrator
830 Whitewater Avenue
St. Charles MN 55972

U10948
St. James Light & Water Dept.
Timothy Becthold Electric Supt.
PO Box 70
St. James MN 56081- 0070

U10954
Stearns Electric Assn.
Robin Doege CEO
PO Box 40
Melrose MN 56352- 0040

U11011
Thief River Falls Water & Light Dept.
Dale Narlock Director
123 Main Avenue North
PO Box 528
Thief River Falls MN 56701

U11023
Two Harbors Water & Light Dept.- Electric
Dan Walker Administrator
522 1st Ave
Two Harbors MN 55616- 1504

U11080
Wadena Light & Water Dept.
David Evans Utility Superintendent
1200 Sunnybrook Rd
Wadena MN 56482

U11083
Waseca Electric Utility
Carl Sonnenberg ATTN Finance Dept.
508 South State Street
Waseca MN 56093

U11103
Wild Rice Electric Coop.
Kristin Dolan CEO
502 North Main
PO Box 438
Mahnomon MN 56557

U11110
Winthrop Municipal Electric Plant
Jenny Hazelton City Administrator
305 North Main Street
PO Box Y
Winthrop MN 55396

U10949
St. Peter Municipal Utilities
L.G. Giesking Dir. Public Works
227 S. Front Street
St. Peter MN 56082

U10955
Steele- Waseca Cooperative Electric
Syd Briggs General Manager
2411 W. Bridge St.
PO Box 485
Owatonna MN 55060- 0485

U11012
Todd Wadena Electric Coop.
Daniel T Carlisle Operations Manager
550 Ash Avenue NE
PO Box 431
Wadena MN 56482

U11024
Tyler Munic. Light & Power Dept.
Stephanie Labrune City Clerk
PO Box C
Tyler MN 56178

U11081
Warren Light & Power Dept. - Electric
Shannon Mortenson City Administrator
120 E. Bridge Ave.
Warren MN 56762

U11086
Wells Public Utilities Commission
Jeff Amy Superintendent
101 1st St SE
PO Box 96
Wells MN 56097- 0096

U11104
Willmar Munic. Utilities Comm.
Janell Johnson General Manager
PO Box 937
700 Litchfield Ave SW
Willmar MN 56201

U11117
Worthington Public Utilities
Scott Hain General Manager
318 Ninth St.
PO Box 458
Worthington MN 56187

U10951
Staples Munic. Water & Light Dept.
Jerel Nelsen City Administrator
122 6th St NE
Staples MN 56479

U10956
Stephen Electric Light Dept.
Ruthie Forest Deputy City Clerk
413 5th Street SuiteB
PO Box 630
Stephen MN 56757

U11018
Traverse Electric Coop., Inc.
Joel Janorschke General Manager
1618 Broadway
PO Box 66
Wheaton MN 56296

U11062
Virginia Dept. of Public Utilities - Electric
Greg French General Manager
618 2nd Street
PO Box 1048
Virginia MN 55792

U11082
Warroad Munic. Light & Power Dept.
Steven A Anderson Attorney
PO Box 430
Warroad MN 56763

U11094
Westbrook Public Utilities
Kelly Beaty Office Manager
556 1st Ave.
P.O. Box 308
Westbrook MN 56183- 0308

U11105
Windom Municipal Utilities
Jason Sykora
1105 1st Ave.
PO Box 38
Windom MN 56101

U11118
Wright Hennepin Coop. Electric Assn.
Tim Sullivan President & CEO
PO Box 330
6800 Electric Drive
Rockford MN 55373