STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF NORTHERN STATES POWER COMPANY TO INITIATE A COMPETITIVE RESOURCE ACQUISITION PROCESS

OAH DOCKET NO. 8-2500-30760, MPUC DOCKET NO. E002/CN-12-1240

DIRECT TESTIMONY

OF

ELIZABETH M. ENGELKING

VICE PRESIDENT OF DEVELOPMENT

GERONIMO WIND ENERGY, LLC D/B/A GERONIMO ENERGY, LLC

ON BEHALF OF

GERONIMO ENERGY, LLC

SEPTEMBER 27, 2013

Exhibit ___

DIRECT TESTIMONY OF ELIZABETH ENGELKING

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SCHEDULES

I. INTRODUCTION AND QUALIFICATIONS

Q: Please state your name and occupation.

A: My name is Elizabeth M. Engelking. I am Vice President for Development at Geronimo Wind Energy, LLC d/b/a Geronimo Energy, LLC ("Geronimo").

Q: Please describe your qualifications and experience.

A: I received my MBA in finance and economics from the Carlson School of Management at the University of Minnesota in 1986. From 1988-1998, I was employed as a rate analyst with the Minnesota Public Utilities Commission ("Commission"), where I oversaw the implementation of Integrated Resource Planning and advised the Commission on utility resource planning, ratemaking, and industry restructuring issues. In 1998, I joined Great River Energy, where I worked as a transmission analyst and then, from 2000-2004, as Manager of Resource Planning. In that capacity, I directed the development, filing, and acceptance of two integrated Resource Plans with the Commission. From 2004-2011, I was employed by Xcel Energy as Director of Resource Planning and Bidding. In that position, I was responsible for developing the Integrated Resource Plans and long-term generation planning and acquisition.

I joined Geronimo Energy in January, 2012, and currently serve as Vice President for Development. My responsibilities include oversight over the development of all of Geronimo's energy projects, as well as contributions to the commercial sales of our projects. My resume is attached to this testimony as Schedule EME-1.

Q: Were you involved in the preparation of Geronimo's Distributed Solar Energy Proposal ("Solar Proposal")?

A: Yes. I led the development and preparation of Geronimo's Solar Proposal and am familiar with its content.

Q: What is the purpose of your testimony in this proceeding?

A: The purpose of my testimony is to adopt the content and discussion contained in Geronimo's Solar Proposal submitted on April 15, 2013, with the exception of Section 8.0 (Transmission and Deliverability). My testimony discusses the project, the ability of solar energy to meet Xcel's identified need, the competitiveness of the Solar Proposal and the attributes of the Solar Proposal that meet Minnesota law.

Q: Do you have any changes or updates to Geronimo's Solar Proposal?

A: Yes. There are two updates I would like to make. First, on September 10, 2013, Geronimo e-filed its Distributed Energy Generation Zones Update and Public Filing and updated versions of Appendices E and F of the Solar Proposal. These filings provided updated sizes and locations of the distributed solar facility sites, as well as the modeling related to those sites. My testimony also adopts changes reflected in those filings.

Second, I would like to correct the estimated accredited capacity for the Project from 72 megawatts ("MW") to 71 MW. While preparing this testimony, we discovered an error in our calculation of the Saint John's Solar Farm's accredited capacity. Our analysis did not properly identify and adjust the evaluated energy production time periods to account for the change from Central Standard Time to Central Daylight Time. The testimony of Geronimo's expert witness, R. Thomas Beach, discusses the calculation methodology in greater detail, but I would like to correct Table 2 on page 14 of Geronimo's Solar Proposal as follows:

Table 2: Summary of Comparison of Annual Capacity Characteristics

Data Source	AC Capacity (Original)	AC Capacity (Corrected)
Saint John's Solar Farm	71.20%	69.90%
PVSyst	72.40%	72.40%
Average	71.80%	71.20%

As shown in the corrected Table 2, this correction slightly decreases the average accredited capacity from 71.80% to 71.20% and, when rounded, decreases the estimated accredited capacity for Geronimo's Solar Proposal from 72 MW to 71 MW.

Q: Please provide an overview of Geronimo's other witnesses in this case.

A: Glen Skarbakka, Geronimo's Vice President of Transmission, will provide testimony regarding the interconnection- and delivery-related aspects of Geronimo's Solar Proposal and adopt the content and discussion contained in Section 8.0 of the Solar Proposal.

R. Thomas Beach, a principal at Crossborder Energy, will provide testimony discussing the operation of solar energy and Geronimo's calculation of the expected accredited capacity based on modeling results and the output of the Saint John's Solar Farm.

II. DESCRIPTION OF PROPOSAL

Q: Please summarize Geronimo's Distributed Solar Energy Proposal.

A: Geronimo's Solar Proposal offers up to 100 MW alternating current ("AC") of solar energy (the "Project") to meet Xcel Energy's capacity and energy needs between 2017 and 2019. Geronimo proposes to build approximately 20 distributed solar facilities at locations across Xcel's Minnesota service territory. See Schedule EME-2 Project Location Map. Each site is sized between 2 MW and 10 MW and has separate

interconnection facilities. Geronimo's Solar Proposal assumes all sites will be commercially operational by December 1, 2016.

III. SUPERIOR RESOURCE TO MEET XCEL'S NEED

Q: Please explain how solar energy can meet Xcel's identified need.

A: Xcel's 2011-2025 integrated resource plan ("IRP") identified that Xcel had a capacity need of an additional 150 MW by 2017, increasing up to 500 MW in 2019. If selected through this competitive resource acquisition process, Geronimo's Solar Proposal will be available to provide Xcel 100 MW (AC) of solar energy generation and 71 MW of accredited capacity by 2017.

Q: Why didn't Geronimo propose a solar project that could meet the entire 500 MW need identified between 2017 and 2019?

A: The Commission's March 5, 2013 Order in Docket E-002/RP-10-825 stated that participants in this proceeding could propose resources to meet all or a portion of Xcel Energy's identified need. Geronimo's 100 MW project is the largest installation of solar energy and distributed generation ever proposed in the State. The size of the Project provides efficiencies and economies of scale, especially in equipment purchasing. It also appropriately balances the timing and logistics of constructing approximately 20 sites within the timeline necessary to complete all required regulatory approvals, qualify for the available federal investment tax credit and meet Xcel's need for capacity prior to summer 2017.

Q: Please describe the benefits of using solar energy in combination with one or more of the other bid proposals to meet Xcel's need.

A: Solar energy can reliably meet Xcel's capacity needs without air emissions or excessive water use. It has no fuel cost, and, therefore, provides for a fixed and certain price over the life of the Project. It can be interconnected at the distribution system, allowing for fewer line losses and greater reliability. Further, as a renewable resource, Xcel can also utilize the energy from the solar project to meet its Renewable Energy Standards or the recently-enacted Solar Energy Standard.

IV. COMPETITIVE BID

Q: Please describe Geronimo's pricing structure for the Solar Proposal.

A: Geronimo has offered two different pricing structures for its Solar Proposal. The first is a traditional capacity pricing structure, which includes a fixed monthly payment per kW for capacity, and an energy payment for all energy generated by the Project. Our second pricing proposal is an energy-only payment, whereby all capacity, energy, and environmental attributes associated with the Project are all bundled within a $/MWh charge.

Q: Aside from price, please describe any attributes or values of solar energy that should be evaluated when comparing solar energy to other available resources.

A: There are a number of attributes of solar as an energy resource that compare favorably to other forms of electric generation, but there are three in particular that can be quantified and serve to increase the value of solar energy as compared to fossil-fuel generation. First, solar will have no environmental costs or carbon costs, which have been quantified by the Minnesota Public Utilities Commission and must be applied to all resource selection decisions in the State. Second, line losses are lower with a distributed project, which translates directly into more energy reaching the customer and lower total cost per

kWh sold. Finally, the solar can be used to meet renewable energy requirements in the state, which will save the utility the cost of obtaining alternative resources or renewable energy credits to comply with state law.

Q: Did Geronimo conduct its own Strategist modeling to evaluate the various proposals?

A: No, Geronimo did not conduct its own independent Strategist modeling. However, we plan to carefully evaluate the modeling results from the Minnesota Department of Commerce, Division of Energy Resources and Xcel and provide our analysis in rebuttal testimony.

Q: What key issues will you look for in the Strategist modeling?

A: A key issue we will look for is whether the Strategist modeling accurately captures all of the quantifiable benefits of our Solar Proposal. In particular, we would like to ensure that the modeling captures the benefit of our Project as a solar resource that is eligible to meet the Minnesota Solar Energy Standard. We will also be looking at how the model incorporates environmental costs of the various alternatives and whether the modeling captures savings due to line loss reductions inherent in our distributed proposal.

Q: Other than price, are there other significant business terms associated with Geronimo's proposal?

A: Appendix J of the Solar Proposal contains a model power purchase agreement ("PPA") that reflects key business terms that Geronimo assumed as part of its proposal. Consistent with this resource acquisition process, Geronimo anticipates entering into bi-lateral negotiations with Xcel if the Project is selected by the Commission, and Geronimo believes that the form PPA included in Appendix J reflects key issues that must be

addressed in those negotiations. Geronimo anticipates negotiating one form of PPA and then executing separate PPAs for each site that reflect the unique physical characteristics, interconnection issues and timing of each facility. Geronimo has valuable experience negotiating power contracts with Xcel and believes that, if Geronimo is selected, it will be able to successfully negotiate a definitive form of solar PPA with Xcel that addresses all of the these key terms.

Q: Why did Geronimo propose a December 1, 2016 commercial operation date for the Project?

A: The federal government currently offers a 30% tax credit on the amount of qualifying investment incurred for a solar project that is placed in service prior to December 31, 2016. Under current law, after 2016 the amount of the tax credit will be reduced to 10%. Placing equipment in service prior to the end of 2016 will result in a significant, certain savings over projects that come online after that date. Placing the Project in service prior to the end of 2016 also ensures that the capacity is available to meet Xcel's identified 2017 summer resource needs.

V. PROPOSAL MEETS STATE LAW

Q: How does the Solar Proposal fulfill the statutory requirements of Minnesota's energy laws?

A: The Solar Proposal fulfills the requirements of Minnesota law that are designed to encourage development of emission-free, renewable energy. Specifically, the Solar Proposal meets the requirements of Minn. Stat. § 216B.1691, subd. 2f (solar energy standard), Minn. Stat. § 216B.2422, subd. 4 and Minn. Stat. § 216B.243, subds. 3(6) and 3a (renewable and distributed energy preference), Minn. Stat. § 216H.02, subd. 1

(greenhouse gas reduction goals) and Minnesota Laws 2013, Chapter 85, Article 12 (goal to reach 100% renewables).

Q: Please discuss how the Solar Proposal complies with Minnesota's Solar Energy Standard.

A: On May 23, 2013, Governor Mark Dayton signed into law Minnesota Laws 2013, Chapter 85. Among other things, this law established a Solar Energy Standard of 1.5% of retail sales by 2020. This standard is required over and above the Renewable Energy Standard, which requires Xcel Energy to meet 30% of its retail energy needs with renewable energy. In a filing made on August 15, 2013 in Docket No. E-999/CI-13-542, Xcel Energy forecasted that it would require 455,919 MWh of solar energy annually to meet its solar standard in 2020. Geronimo's solar project will provide approximately 200,000 MWh annually to help meet Xcel's requirements.

Q: Geronimo's Project is scheduled to be in service in 2016. Can Xcel Energy still use the energy from the Project to meet the 2020 Solar Energy Standard requirements?

A: Yes. Minn. Stat. § 216B.1691, Subd. 2f (f) provides that any solar renewable energy credits associated with a solar photovoltaic device installed and generating electricity in Minnesota after the effective date of the act but before 2020 may be used to meet the Solar Energy Standard.

Q: Please discuss how the Solar Proposal complies with Minnesota's preference for renewable and distributed generation.

A: The preference for renewable and distributed generation appears in both the resource planning and the certificate of need processes. In resource planning, the Commission cannot approve a non-renewable resource in a resource plan, nor can it issue a certificate

of need for a non-renewable resource, unless the utility has demonstrated that a renewable resource is not in the public interest. The statute further states that the public interest determination must include whether the resource plan helps the utility achieve its greenhouse gas reduction goals or meet its renewable or solar energy standards. See EME-3 Minnesota Laws 2013, Chapter 132. The certificate of need statute also requires that, in order to obtain a certificate of need for a non-renewable resource, an applicant must demonstrate that it has considered using renewable resources and distributed generation as alternatives to the non-renewable facility. Environmental costs and risk of regulation over the life of the project must be considered when conducting this analysis. Geronimo's Solar Proposal provides the Commission with a feasible, competitive renewable alternative that will meet both a portion of Xcel's capacity need and a portion of its Solar Energy Standard. It also proposes to deliver the Project as approximately 20 separate installations of 2 to 10 MW each, all interconnected at the distribution level, thus providing the Commission with a distributed generation alternative.

Q: Please discuss how the Solar Proposal helps meet Minnesota's greenhouse gas reduction goals.

A: The Project will emit no greenhouse gasses, thus potentially displacing greenhouse-gas emitting resources such as natural gas-fired generation. At a minimum, the Project will not increase greenhouse gas emissions, and is likely to decrease them.

Q: Please discuss how the Solar Proposal helps meet Minnesota's goal of reaching 100% renewable energy.

A: If Minnesota is going to reach its goal of being the first state in the nation to use only renewable energy, the Commission and utilities will eventually need to replace existing

fossil fuel resources with renewable resources. The most cost-effective time to begin that process is when a utility adds new capacity, as new generating facilities have useful lives that extend for several decades. The Solar Proposal is a known and certain renewable energy alternative that will add approximately 200,000 MWh of emission-free, renewable energy and represent a meaningful step toward meeting the State's renewable energy goal.

VI. CONCLUSION

Q: Please summarize your testimony.

A: Geronimo's Solar Proposal is in the public interest because is the only proposal offered in this competitive resource acquisition process that meets a portion of Xcel's capacity need in a renewable and distributed manner, while also meeting a portion of Xcel's Solar Energy Standard and avoiding greenhouse gas and other harmful emissions from fossil-fuel fired alternatives.

Q: Does this conclude your testimony?

A: Yes.

Elizabeth M. Engelking
Geronimo Energy
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Edina, Minnesota 55435

EDUCATION

Master of Business Administration, Carlson School of Management
University of Minnesota, 1986

Bachelor of Sciences
College of William and Mary in Virginia, 1982

CURRENT RESPONSIBILITIES

Leads the Geronimo Development team, which is responsible for creating new renewable projects and moving them through all phases of development to construction-ready status. Also lead Geronimo's Policy, Regulatory and Legislative efforts, and contributes to its commercial strategy.

EMPLOYMENT

Geronimo Energy January 2012 – Present	 Vice President
Xcel Energy October 2008 – January 2012 2004 – October 2008	 Director, Resource Planning and Bidding Manager, Resource Planning and Bidding
Great River Energy 2000 – 2004 1998 – 2000	 Manager, Resource Planning Transmission Analyst
Minnesota Public Utilities Commission 1988 – 1998	 Public Utilities Rates Analyst

PREVIOUS TESTIMONY

Xcel Energy	E002/CN-05-123	Cost and Alternative Analysis
Xcel Energy	E6472/M-05-1993	System Impact Analysis
Xcel Energy	PU-07-776	Generation Investments and Resource Planning
Xcel Energy	E002/CN-08-185	Resource Planning and Evaluation
Xcel Energy	E002/CN-08-509	Policy and Compliance
Xcel Energy	E002/GR-08-1065	Renewable Energy Cost Recovery

Schedule EME-2 to Engelking Direct
MPUC Docket No.E002/CN-12-1240
OAH Docket No. 8-2500-30760

PROJECT LOCATIONS

Project Locations
Project Size (MW)

- 1
- 2.5
- 5
- 10

Symbols proportional to project size (megawatts)

XCEL Service Area

Albany
Mayhew Lake
Paynesville
Annandale
Lake Pulaski
Atwater
Montrose
Fiesta City
Lester Prairie
West Waconia
Chisago County
Lawrence Creek
Wyoming
Scandia
Hastings
Zumbrota
West Faribault
Pine Island
Lake Emily
Eastwood
Waseca
Dodge Center
Pipestone

Traverse
Stevens
Pope
Big Stone
Swift
Kandiyohi
Meeker
Lac Qui Parle
Chippewa
Yellow Medicine
Renville
Mcleod
Stearns
Benton
Sherburne
Isanti
Chisago
Anoka
Wright
Hennepin
Ramsey
Washington
Carver
Scott
Dakota
Sibley
Lincoln
Lyon
Redwood
Nicollet
Le Sueur
Rice
Goodhue
Brown
Blue Earth
Waseca
Steele
Dodge
Pipestone
Murray
Cottonwood
Watonwan

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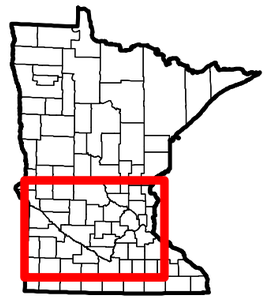

GERONIMO ENERGY

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SOURCES:
MN Public Utilities Commission, Ventyx

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PKS Date: 3/6/2013

CHAPTER 132–H.F.No. 854

An act relating to energy; modifying provisions related to distributed generation and renewable energy; regulating conservation improvement investments for low-income programs; modifying eminent domain and condemnation procedures; amending Minnesota Statutes 2012, sections 216B.164, subdivision 3a, as added; 216B.241, subdivision 7; 216B.2422, subdivision 4; 216E.12, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2012, section 216B.164, subdivision 3a, as added by 2013 H.F. No. 729, article 9, section 4, if enacted, is amended to read:

Subd. 3a. **Net metered facility.** (a) Except for customers receiving a value of solar rate under subdivision 10, a customer with a net metered facility having ~~more than 40-kilowatt and less than 1,000-kilowatt capacity~~ a capacity of 40 kilowatts or greater but less than 1,000 kilowatts that is interconnected to a public utility may elect to be compensated for the customer's net input into the utility system in the form of a kilowatt-hour credit on the customer's energy bill carried forward and applied to subsequent energy bills. Any net input supplied by the customer into the utility system that exceeds energy supplied to the customer by the utility during a calendar year must be compensated at the applicable rate.

(b) A public utility may not impose a standby charge on a net metered or qualifying facility:

(1) of 100 kilowatts or less capacity; or

(2) of more than 100 kilowatts capacity, except in accordance with an order of the commission establishing the allowable costs to be recovered through standby charges.

EFFECTIVE DATE. This section is effective July 1, 2013.

Sec. 2. Minnesota Statutes 2012, section 216B.241, subdivision 7, is amended to read:

Subd. 7. **Low-income programs.** (a) The commissioner shall ensure that each utility and association provides low-income programs. When approving spending and energy-savings goals for low-income programs, the commissioner shall consider historic spending and participation levels, energy savings for low-income programs, and the number of low-income persons residing in the utility's service territory. A municipal utility that furnishes gas service must spend at least 0.2 percent, and a public utility furnishing gas service must spend at least 0.4 percent, of its most recent three-year average gross operating revenue from residential customers in the state on low-income programs. A utility or association that furnishes electric service must spend at least 0.1 percent of its gross operating revenue from residential customers in the state on low-income programs. For a generation and transmission cooperative association, this requirement shall apply to each association's members' aggregate gross operating revenue from sale of electricity to residential customers in the state. Beginning in 2010, a utility or association that furnishes electric service must spend 0.2 percent of its gross operating revenue from residential customers in the state on low-income programs.

(b) To meet the requirements of paragraph (a), a utility or association may contribute money to the energy and conservation account. An energy conservation improvement plan must state the amount, if any,

of low-income energy conservation improvement funds the utility or association will contribute to the energy and conservation account. Contributions must be remitted to the commissioner by February 1 of each year.

(c) The commissioner shall establish low-income programs to utilize money contributed to the energy and conservation account under paragraph (b). In establishing low-income programs, the commissioner shall consult political subdivisions, utilities, and nonprofit and community organizations, especially organizations engaged in providing energy and weatherization assistance to low-income persons. Money contributed to the energy and conservation account under paragraph (b) must provide programs for low-income persons, including low-income renters, in the service territory of the utility or association providing the money. The commissioner shall record and report expenditures and energy savings achieved as a result of low-income programs funded through the energy and conservation account in the report required under subdivision 1c, paragraph (g). The commissioner may contract with a political subdivision, nonprofit or community organization, public utility, municipality, or cooperative electric association to implement low-income programs funded through the energy and conservation account.

(d) A utility or association may petition the commissioner to modify its required spending under paragraph (a) if the utility or association and the commissioner have been unable to expend the amount required under paragraph (a) for three consecutive years.

(e) The costs and benefits associated with any approved low-income gas or electric conservation improvement program that is not cost-effective when considering the costs and benefits to the utility may, at the discretion of the utility, be excluded from the calculation of net economic benefits for purposes of calculating the financial incentive to the utility. The energy and demand savings may, at the discretion of the utility, be applied toward the calculation of overall portfolio energy and demand savings for purposes of determining progress toward annual goals and in the financial incentive mechanism.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2012, section 216B.2422, subdivision 4, is amended to read:

Subd. 4. **Preference for renewable energy facility.** The commission shall not approve a new or refurbished nonrenewable energy facility in an integrated resource plan or a certificate of need, pursuant to section 216B.243, nor shall the commission allow rate recovery pursuant to section 216B.16 for such a nonrenewable energy facility, unless the utility has demonstrated that a renewable energy facility is not in the public interest. The public interest determination must include whether the resource plan helps the utility achieve the greenhouse gas reduction goals under section 216H.02, the renewable energy standard under section 216B.1691, or the solar energy standard under section 216B.1691, subdivision 2f.

Sec. 4. Minnesota Statutes 2012, section 216E.12, subdivision 4, is amended to read:

Subd. 4. **Contiguous land.** (a) When private real property that is an agricultural or nonagricultural homestead, nonhomestead agricultural land, rental residential property, and both commercial and noncommercial seasonal residential recreational property, as those terms are defined in section 273.13 is proposed to be acquired for the construction of a site or route for a high-voltage transmission line with a capacity of 200 kilovolts or more by eminent domain proceedings, the ~~fee~~ owner~~, or when applicable, the fee owner with the written consent of the contract for deed vendee, or the contract for deed vendee with the written consent of the fee owner,~~ shall have the option to require the utility to condemn a fee interest in any amount of contiguous, commercially viable land which the owner ~~or vendee~~ wholly owns ~~or has contracted to own~~ in undivided fee and elects in writing to transfer to the utility within 60 days after receipt of the notice of the objects of the petition filed pursuant to section 117.055. Commercial viability shall be determined without regard to the presence of the utility route or site. Within 60 days after receipt by the utility of an owner's election to exercise this option, the utility shall provide written notice to the owner

of any objection the utility has to the owner's election, and if no objection is made within that time, any objection shall be deemed waived. Within 120 days of the service of an objection by the utility, the district court having jurisdiction over the eminent domain proceeding shall hold a hearing to determine whether the utility's objection is upheld or rejected. The utility has the burden of proof to prove by a preponderance of the evidence that the property elected by the owner is not commercially viable. The owner ~~or, when applicable, the contract vendee~~ shall have only one such option and may not expand or otherwise modify an election without the consent of the utility. The required acquisition of land pursuant to this subdivision shall be considered an acquisition for a public purpose and for use in the utility's business, for purposes of chapter 117 and section 500.24, respectively; provided that a utility shall divest itself completely of all such lands used for farming or capable of being used for farming not later than the time it can receive the market value paid at the time of acquisition of lands less any diminution in value by reason of the presence of the utility route or site. Upon the owner's election made under this subdivision, the easement interest over and adjacent to the lands designated by the owner to be acquired in fee, sought in the condemnation petition for a right-of-way for a high-voltage transmission line with a capacity of 200 kilovolts or more shall automatically be converted into a fee taking.

(b) All rights and protections provided to an owner under chapter 117 apply to acquisition of land or an interest in land under this section.

(c) Within 120 days of an owner's election under this subdivision to require the utility to acquire land, or 120 days after a district court decision overruling a utility objection to an election made pursuant to paragraph (a), the utility must make a written offer to acquire that land and amend its condemnation petition to include the additional land.

(d) For purposes of this subdivision, "owner" means the fee owner, or when applicable, the fee owner with the written consent of the contract for deed vendee, or the contract for deed vendee with the written consent of the fee owner.

EFFECTIVE DATE. (a) The amendments to paragraph (a) and paragraph (c) of this section are effective the day following final enactment and apply to actions commenced on or after that date.

(b) Paragraphs (b) and (d) of this section are effective the day following final enactment and apply to actions pending or commenced on or after that date.

(c) This section does not apply to proceedings or actions before the Minnesota Supreme Court on May 1, 2013.

(d) "Commenced" means when service of notice of the petition under Minnesota Statutes, section 117.055, is made.

Presented to the governor May 22, 2013

Signed by the governor May 24, 2013, 1:58 p.m.