

In the Matter of Joint Application of Summit Lake Solar, LLC and Summit Lake Storage, LLC for a Solar Energy Generating System Site Permit and a Battery Storage System Site Permit for the up to 200 MW Summit Lake Solar Facility and the up to 200 MW Battery Summit Lake Energy Storage System in Nobles County, Minnesota.

**PUC Docket Nos. IP-7153/GS-25-89 and IP-7153/ESS-25-88
OAH Docket Number 21-2500-41031**

Dear Commissioners:

On behalf of the Northern Midwest Regional Council of Carpenters (NMRCC), I am writing in strong support of providing the site permits for Summit Lake Solar, LLC's 200-MW Solar Energy Generating System and 200-MW Summit Lake Battery Energy Storage System (BESS) in Nobles County, Minnesota following our review of the Findings of Fact, Conclusions of Law and Recommendations contained in ALJ Middendorf's report.

Our organization supports responsible energy development that creates good, middle-class construction jobs, respects local communities, and is built safely and to a high standard. The NMRCC represents nearly 36,000 union members and their families across Michigan, Minnesota, North Dakota, South Dakota, and Wisconsin, and we know firsthand that large-scale renewable energy projects succeed when they are built with the skilled, trained labor using strong labor standards and collective bargaining.

While the ALJ identified concerns regarding prime farmland and cumulative impacts, NMRCC believes the ALJ's analysis understates the project's compliance with siting criteria, its contribution to Minnesota's clean energy goals and efforts to address public concerns. Summit Lake's Solar Facility will provide up to 200 MW of clean, renewable energy, directly contributing to the state's clean energy law. The applicant reduced the size of the development area and considered alternative sites only to find them unreasonable due to land ownership and transmission issues. They also made numerous adjustments following public comments on this project including setback adjustments, stormwater retention, and noise reduction technology.

The NMRCC opposes LIUNA and IBEW's exceptions in part because their approach to electrical code jurisdiction is legally unsound and conflicts with the Ramsey County District Court's ruling in *Elk Creek Solar, LLC v. Minnesota Department of Labor and Industry*, Case No. 62-CV-25-8802, which is currently pending appeal in the Minnesota Court of Appeals. These parties are asking the Commission to adopt a legal position that has already been rejected by the District Court.

The Ramsey County District Court granted Elk Creek Solar's petition for declaratory and injunctive relief, establishing that:

1. The Elk Creek Project operates on the "supply side" of the service point, governed by the National Electrical Safety Code, not the Minnesota Electrical Code enforced by the Department of Labor and Industry.
2. The Exemption under Minn. Stat. § 326B.33, subd. 21(e), applies to all utilities, not just public utilities.
3. DLI is permanently prevented from enforcing electrical permit or inspection actions against Elk Creek or similar non-public utility entities working within the scope of this statutory exemption.

The NMRCC has met with Summit Lake, LLC and the Commission should be encouraged by the fact that they have assured us of their intention to have all appropriate crafts within the Building Trades complete the work on this site. All contractors will be expected to be signatory to the appropriate trade union and participate in pre-

job conferences where work is assigned to all the appropriate crafts. This is the same way they are treating their project in South Dakota and plan to use at Lake Charlotte.

Summit Lake, LLC's approach to constructing this project reflects the kind of renewable development we believe is best for Minnesota, because projects of this scale require experienced contractors and a coordinated local workforce to ensure safe, efficient, and reliable completion of the project. The owner has demonstrated a record of compliance with all applicable codes, laws, and construction standards. We also value the company's history of using labor on projects in a way that ensures prevailing wages, utilizes multiple crafts and trades, and ensures that the right skills are applied to each phase of construction.

We also support Summit Lake, LLC because of the developer's deep history of working with local union workers and contributing to the local economy. Local benefits matter, especially in rural Minnesota, where well-paying construction work can have a meaningful economic ripple effect. Renewable energy projects generate demand for local goods and services, and when local workers are hired, those wages circulate through nearby businesses, strengthening the communities that host these projects.

The Carpenters are also well positioned to help deliver this project. Our members are trained in renewable energy work, including solar projects, and our region's renewable energy programs emphasize the skilled, multi-craft workforce needed for ground-mounted utility-scale solar development. We believe Summit Lake, LLC has and will continue to demonstrate the right combination of project experience, labor responsibility, and community focus to move this application forward.

For these reasons, we respectfully urge the Minnesota Public Utilities Commission to approve Summit Lake Solar, LLC's joint application for the Summit Lake Solar Energy Generating System site permit and the 200 MW Summit Lake Battery Energy Storage System.

Sincerely,

Richard Kolodziejski
Political Director for MN/ND/SD
NMRCC

Marcus Raines
Business Representative
NMRCC