

NOTICE OF COMMENT PERIOD

Issued: October 11, 2024

In the Matter of Implementation of 2023 Legislative Changes to Xcel Energy's Community Solar Garden Program.

PUC Docket Number(s): E002/CI-23-335

Comment Period: Initial comment period closes November 12, 2024 at 4:30pm

Reply comment period closes November 26, 2024 at 4:30pm

Comments received after the close of the comment period may or may not be considered by the Commission.

Issue: Should the Commission approve the changes to the LMI Standard Contract agreed to by Xcel and Stakeholders, and what action should the Commission take regarding changes that did not have agreement?

Topic(s) Open for Comment:

- Should the Commission approve the changes agreed upon by Xcel and stakeholders?
- How should the Commission address the addition of a definition of "Battery Energy Storage System" as proposed by stakeholders?
- How should the Commission address the non-consensus item regarding the use of the term "nameplate capacity" which appears across the LMI Standard Contract?
- How should the Commission address the non-consensus items regarding the relationship between the Tariff and the Contract?
- Are there other issues or concerns related to this matter?

Background

On May 24, 2023, the Legislature amended Minn. Stat. § 216B.1641, ending the existing Community Solar Garden (CSG) program (legacy program), and adding a new, non-legacy CSG program with different requirements. The amended statute directs the Department of Commerce (Department) to open and administer a new CSG program beginning January 1, 2024.

On July 26, 2023, the Commission issued a notice of comment period regarding what actions the Commission should take to implement the amended statute. Xcel filed a response on August 28, 2023, along with a proposed tariff modification implementing its response. On December 28,

2023, the Commission issued its order on the matter, including a requirement that Xcel submit an updated compliance tariff within 30 days.

The December 28, 2024 Order established that the updated tariff compliance filing would take effect 20 days after it was filed unless objections were filed before that time. Xcel submitted its updated tariff eight days after the order was issued, on January 5, 2024. By January 25, 2024, the Commission received objections to Xcel's amended tariff filing. These comments prevented the tariff revisions from taking effect. On April 4, 2024, the matter came before the Commission.

The May 30, 2024 Order stated in Order Point 3:

Xcel and interested stakeholders must develop and file a standard contract governing the terms and conditions for the purchase of power exported by the CSG operator to Xcel under the non-legacy CSG program for Commission approval within 30 days of this order.

Xcel filed a letter with the Commission on July 23, 2024, announcing a stakeholder meeting to be held on August 28, 2024 to discuss additional potential changes to the Standard Contract on some areas where the parties were not in agreement. Xcel also provided communication of this date via email which was sent to CSG developers and other interested participants.

The stakeholder meeting was held on August 28, 2024 with 53 participants attending. Based on the discussion, participants agreed to some changes to the LMI Standard Contract but did not reach agreement on other proposed changes. The participants agreed to recommend that the Executive Secretary open a comment period to address those potential changes to the LMI Standard Contract that were discussed during the stakeholder meeting but not agreed upon. This will allow the potential changes to receive additional information and feedback on those items that were not agreed upon before the Commission makes a final decision on them.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to efile documents using the Commission's electronic filing system (eFiling). All parties, participants, and interested persons are encouraged to use eFiling at:
<https://www.edockets.state.mn.us/EFiling>

Submit Public Comments:

Online: <https://mn.gov/puc/get-involved/public-comments/>, and follow the instructions.

Email: consumer.puc@state.mn.us

U.S. Mail: Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul MN 55101

Full Case Record: See all documents filed in this matter on the Commission's website at: mn.gov/puc/edockets, select *Go to eDockets Project Database*, enter the year (23) and the docket number (335), and select *Search*.

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Questions about this docket or Commission process and procedure? Contact Commission staff, Nikki Brown-Huss, at nikki.brown-huss@state.mn.us.

Change your mailing preferences: Email docketing.puc@state.mn.us or call Leesa Norton at 651-201-2246.

To request this document in another format such as large print or audio, call 651-296-0406 (voice). Consumers with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

CERTIFICATE OF SERVICE

I, Mai Choua Xiong, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

Minnesota Public Utilities Commission NOTICE OF COMMENT PERIOD

Docket Number **E002/M-23-335**

Dated this 11th day of October, 2024

/s/ Mai Choua Xiong

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