



May 15, 2015

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, MN 55101

RE: COMMUNITY SOLAR GARDENS PROGRAM  
DOCKET NO. E002/M-13-867

Dear Secretary Wolf,

NextEra Energy Resources, LLC submits the attached comments in the above-referenced docket. Please contact me at [amie.jamieson@nee.com](mailto:amie.jamieson@nee.com) or 561-304-5802 if you have any questions about this filing.

Respectfully Submitted,

*/s/ Amie L. Jamieson*

Amie L. Jamieson

Enclosure  
Cc: Service List

STATE OF MINNESOTA  
BEFORE THE  
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner
Betsy Wergin	Commissioner

**In the Matter of the Petition of Northern States Power Company for Approval of its Proposed Community Solar Gardens Program**

**DOCKET NO. E002/M-13-867**

**COMMENTS OF NEXTERA ENERGY RESOURCES, LLC**

NextEra Energy Resources, LLC (“NEER”) respectfully files these comments in response to the Minnesota Public Utilities Commission’s (“Commission”) Notice of Comment Period Issued on May 1, 2015. On April 28, 2015 the Commission received notice from Northern States Power Company, doing business as Xcel Energy (“Xcel”), that Xcel plans to impose an overall 1 MW limit for co-location of gardens community solar projects, meaning that Xcel will scale projects to 1 MW for projects that have proposed co-located gardens with an aggregate capacity greater than 1 MW.<sup>1</sup> NEER submits these comments in support of Xcel’s plan for implementing the 1 MW statutory limit for community solar gardens.

NEER is an active solar developer in Minnesota and currently has an application for a site permit for the 62.25 MW Marshall Solar Project pending before this Commission.<sup>2</sup> NEER is

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<sup>1</sup> In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of Its Proposed Community Solar Gardens Program, Docket No. E-002/M-13-867, Xcel Energy, Supplemental Comments and Notice to Administrative Program Consistent with CSG Statute (Apr. 28, 2015).

<sup>2</sup> In the Matter of the Application of Marshall Solar, LLC for a Site Permit for the Marshall Solar Electric Power Generating Plant in Lyons County, Minnesota, Docket No. IP-6941/GS-14-1052. The Commission recently approved Xcel’s agreement to purchase energy from the Marshall Solar Project and allowed Xcel to count the energy purchased under the approved PPAs toward its Minnesota Solar Energy Standard requirements.

also engaged in distributed generation development throughout the country, and is working with several retail/end use customers to develop cost-effective distributed systems in Minnesota.

NEER shares the concern expressed by Xcel that interpretations of legislative intent have led to a plethora of Solar\*Rewards Community (“S\*RC”) applications whose designs contradict the program requirements. In particular, Xcel has received applications for projects that propose co-locating solar gardens so that the cumulative capacity of the project is greater than 1 MW. The relevant statute provides that “[t]he solar garden must have a nameplate capacity of no more than one megawatt.”<sup>3</sup> Xcel’s tariff and standard contract reflect the statutory 1 MW limit as well.<sup>4</sup> Further, the Commission has reinforced Xcel’s interpretation of the 1 MW limit. The Commission’s April 7, 2014 Order noted “The solar-garden statute limits a garden’s nameplate capacity to 1 MW or less” and expressly required Xcel Energy to amend the solar-garden tariff to define the maximum solar-garden capacity as no more than 1 MW AC.<sup>5</sup>

NEER, like Xcel and perhaps other developers, incorporated the statute’s 1 MW size limitation in its planning and proposals, and in doing so excluded co-location of facilities above the 1 MW limit. Because some developers are interpreting the 1 MW limitation differently, it creates an un-level playing field due to the fact that larger projects may be able to take advantage of better economics. As Xcel describes, “developers are proposing projects that look and act like utility-scale solar projects, and at the same time the participant credit has been set at a value

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requirements. In the Matter of Xcel Energy’s Petition for Approval of a Solar Portfolio to Meet Initial Solar Energy Standard, Docket No. E-002/M-14-162, Order Approving Solar Portfolio (Mar. 24, 2015).

<sup>3</sup> Minn. Stat. § 216B.1641(b).

<sup>4</sup> “The garden must have a nameplate capacity of no more than one (1) megawatt alternating current (AC).” Northern States Power Company, Minnesota Rate Book – MPUC No. 2, Section No. 9, Original Sheet No. 65; Standard Contract for Solar\*Rewards Community.

<sup>5</sup> In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of Its Proposed Community Solar Gardens Program, Docket No. E-002/M-13-867, Order Rejecting Xcel’s Solar-Garden Tariff Filing and Requiring the Company to File a Revised Solar-Garden Program at 10 (April 7, 2014).

intended to facilitate the financing of much smaller community-based projects. Smaller projects lack economies of scale and as such are more costly to finance.”<sup>6</sup>

The Commission has stated its intent to review the S\*RC program in the spring or summer of 2015.<sup>7</sup> NEER encourages the Commission to do so promptly, and to directly address the interpretation of the 1 MW limitation. Doing so will ensure that the program rules are transparent and consistent with the statute, which will allow all parties (including both customers and developers) to participate in the program on a comparable basis.

Respectfully submitted,



Michele Canino  
Vice President - Regulatory and  
Political Affairs  
NextEra Energy Resource, LLC  
700 Universe Blvd. FEB/JB  
Juno Beach, FL 33408

Dated: May 15, 2015

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<sup>6</sup> In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of Its Proposed Community Solar Gardens Program, Docket No. E-002/M-13-867, Supplemental Comments and Notice to Administrative Program Consistent with CSG Statute Community Solar Gardens Program at 1 (Apr. 28, 2015).

<sup>7</sup> In the Matter of the Petition of Northern States Power Company, dba Xcel Energy, for Approval of Its Proposed Community Solar Gardens Program, Docket No. E-002/M-13-867, Minnesota Public Utilities Commission Letter to Xcel (Mar. 10, 2015).

CERTIFICATE OF SERVICE

I, Amie Jamieson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at Juno Beach, Florida.

Comments of NextEra Energy Resources, LLC  
Docket No. E002/M-13-867

Dated this 15<sup>th</sup> day of May 2015

*/s/ Amie L. Jamieson*

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Amie L. Jamieson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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