



June 7, 2024

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VIA E-FILING

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Re: Co-Location Determination Appeal
In the Matter of Implementation of 2023 Legislation Changes to Xcel Energy's
Community Solar Garden Program
MPUC Docket No. E-002/CI-23-335

In the Matter of the Petition of Xcel Energy for Approval of its Proposed Community
Solar Garden Program
MPUC Docket No. E-002/M-13-867

Dear Mr. Seuffert:

SunShare, LLC (“**SunShare**”) is compelled to submit this co-location appeal (“**Appeal**”) to address a narrow and unique question arising out of the transition from the existing community solar garden program (the “**Legacy CSG Program**”) to the new low- and moderate-income (“LMI”) accessible community solar program (the “**LMI Accessible CSG Program**”).¹ Specifically, SunShare is seeking a ruling on what is (or was) the appropriate path for projects intended for the LMI Accessible CSG Program that were seeking interconnection approval months after the CSG Statute had been amended but before Xcel Energy’s preferred application portal for such projects was open and functioning.

Despite its attempt to have its applications evaluated based on SunShare’s intent to apply to the LMI Accessible CSG Program, the Minnesota Department of Commerce (“**Department**”) applied concepts and rules from the Legacy CSG Program to determine that thirty-nine (39) community solar garden applications for one megawatt solar projects submitted by SunShare are co-located at nine (9) projects sites. The Department’s analysis narrowly focused on Legacy CSG Program co-location rules as opposed to the stated intent of the applicant to participate in the new program. As explained in detail below, SunShare intended these projects for the new LMI Accessible CSG Program, which allows projects up to five megawatts in size to encourage service

¹ Minn. Stat. 216B.1641 (the “**CSG Statute**”).

to customers historically underserved under the Legacy CSG Program. However, the issue in this Appeal is not whether the Applications are co-located, but whether the Applications should have been reviewed for co-location under the Legacy Program rules at all. SunShare respectfully requests that the Minnesota Public Utilities Commission (the “**Commission**”) resolve the pending co-location dispute by directing Xcel Energy to process the interconnection applications in accordance with Minnesota Distributed Energy Resource Interconnection Process (“**MN DIP**”) and the recent direction from the Commission that Xcel Energy must use its Distributed Generation portal for interconnection applications intended for the LMI Accessible CSG Program.

A. Background.

On April 17, 2024, Xcel Energy issued a Notice of Co-Location regarding thirty-nine (39) community solar garden applications (the “**Applications**”)² submitted by SunShare (the “**Notice of Co-location**”).³ On May 1, 2024, SunShare submitted an appeal of the Notice of Co-location to the Department. On May 8, 2024, Xcel Energy submitted a response to the Department. The Department issued a determination on May 31, 2024 finding that the Applications are co-located at nine (9) project sites.⁴ The Department’s determination reached the narrow conclusion that the projects are co-located under the Legacy CSG Program rules, but also noted that the arguments made by SunShare were outside the scope of Department’s authority in the context of a co-location dispute.⁵

The Minnesota Legislature amended the community solar garden statute in May 2023 to sunset the Legacy CSG Program and establish the new LMI Accessible CSG Program.⁶ The amended statute contemplated that the LMI Accessible CSG Program would open for applications in early 2024. Per Minn. Stat. 216B.1641, subd. 5(b)(1), a signed interconnection agreement is a requirement to submit an application to the new program and, per Minn. Stat. 216B.1641, subd. 6(a)(2), may have a capacity of up to five megawatts. In other words, projects seeking to apply to the LMI Accessible CSG Program in 2024 needed to apply for interconnection prior to the new program opening.

The Department began accepting applications for the LMI Accessible CSG Program in February 2024 and, in accordance with the CSG Statute, requires that projects have a signed interconnection agreement in order to be approved for the LMI Accessible CSG Program. On April 4, 2024, the Commission considered issues related to how Xcel Energy should process

² Solar*Rewards Community application #: Batch #1 (05526561,05526563, 05526556, 05526568), Batch #2 (05612339, 05612420, 05612502, 05612567, 05612544), Batch #3 (05526581, 05526584, 05526587, 05526590), Batch #4 (05605597, 05605599, 05605601), Batch #5 (05612262, 05612268, 05612275, 05612269), Batch #6 (05660743, 05660772, 05660779, 05660783, 05660763), Batch #7 (05657248, 05657215, 05657253, 05657250), Batch #8 (05660541, 05660589, 05660623, 05660661, 05660696), and Batch #9 (05657289, 05657293, 05657295, 05657297, 05657300, 05657300).

³ Notice of Co-Location attached hereto as **Exhibit A**.

⁴ Department’s May 31, 2024 determination letter attached hereto as **Exhibit B**.

⁵ Department’s May 31, 2024 determination letter at 9.

⁶ Minn. Stat. 216B.1641.

interconnection applications for the LMI Accessible CSG Program. In the Commission's subsequent May 30, 2024 Order,⁷ the Commission directed that Xcel Energy must use its Distributed Generation portal for interconnection applications for LMI Accessible CSG Program.⁸ The Commission also approved Xcel Energy's proposed changes to its tariff specifying how a project may maintain its queue position if requesting to switch programs.⁹

SunShare is submitting this Appeal to respond to the Department's co-location determination and to request that the Commission direct Xcel to process the Applications in accordance with MN DIP and the Commission's May 30, 2024 Order.

B. Co-Location Limits are Inapplicable and it was Unreasonable to Expect Developers to Wait Nearly a Year to Apply for Interconnection Due to Xcel Energy Administrative Delays.

Following the adoption of the amended CSG Statute, many developers began developing suitable projects for the LMI Accessible Program. Because applying to the LMI Accessible Program requires a signed interconnection agreement and processing interconnection applications can take a year or more, applying for an interconnection was a necessary early step for developers interested in applying to the LMI Accessible Program. On October 11, 2023, Xcel Energy issued a notice to community solar stakeholders indicating that it would require projects intended for the LMI Accessible Program to use the application portal for the LMI Accessible Program and that such projects were not allowed to be submitted using non-CSG DER interconnection applications.¹⁰ However, at that time, Xcel did not offer a LMI Accessible Program application portal.¹¹ Accordingly, SunShare took the only path available to it to begin interconnection studies and submitted the Applications in the fall of 2023 through the Legacy CSG Program portal.

Given that the Minnesota Legislature allocated 100 MW of capacity in 2024 to the LMI Accessible Program, it was unreasonable to expect developers to wait nearly a year to submit interconnection applications for projects intended for the new program. The LMI Accessible Program allows for projects to be up to five megawatts in size and, as a result, the Applications do not violate any co-location rules applicable to the LMI Accessible Program. Further, SunShare's activities to develop community solar projects in 2023 and early 2024 that would suit the objectives

⁷ ORDER IMPLEMENTING NEW LEGISLATION GOVERNING COMMUNITY SOLAR GARDENS, dated May 30, 2024, *In the Matter of Implementation of 2023 Legislative Changes to Xcel Energy's Community Solar Garden Program*, Commission Docket No. E-002/CI-23-335 and *In the Matter of the Petition of Xcel Energy for Approval of its Proposed Community Solar Garden Program*, Commission Docket No. E-002/CI-13-867 (the "**May 30, 2024 Order**").

⁸ May 30, 2024 Order at Order Point 1.

⁹ May 30, 2024 Order at Order Point 5.

¹⁰ See copy of October 11, 2023 notice attached hereto as **Exhibit C**.

¹¹ Further, Xcel Energy continued to not offer any such portal until the after the Commission oral decision on April 4, 2024 to use the Distributed Generation portal, which the company began doing as of May 16, 2024. See Xcel Energy's 2024 Q2 Minnesota DER Stakeholder Workgroup presentation dated May 15, 2024, at page 33 and attached hereto as **Exhibit D**.

of the new program (including serving LMI subscribers) are in keeping with the legislative intent of the amended CSG Statute to open the new program in 2024. Accordingly, SunShare believes that it would be in keeping with the legislative intent to require Xcel Energy to continue processing the Applications and allow them to retain their queue positions and continue development without further delay. SunShare has committed substantial resources to developing these projects, including paying deposits totaling \$3.9 million for the Applications, securing real estate rights, and pursuing permits. Having to start the interconnection application process over again would be a waste of resources and would exacerbate the significant delays already caused by the drawn-out process of deciding the administrative issue of which interconnection portal projects should be used. SunShare understands that Xcel's logistical and administrative challenges are real, but they should not be allowed to undermine the legislative intent of the amended CSG statute or SunShare's efforts to develop projects to serve LMI subscribers under the new program.

Further, the CSG Statute specifically requires that "An application for the legacy program that is approved on or before December 31, 2023, is eligible to become a community solar garden under subdivisions 3 to 12..."¹² In other words, the CSG Statute specifically contemplated that developers would be able to begin developing projects in 2023 (including submitting them to Xcel Energy for study) in anticipation of the new program. Nothing in the CSG Statute contemplates delaying development and study of projects until Xcel Energy created a new application portal for such projects.

In the Commission's December 28, 2023 order addressing implementation of the amended CSG statute, it confirmed that "the new program divides administrative roles between Xcel and the Department; Xcel will continue to evaluate the applicant's interconnection, while the Department will evaluate an applicant's qualifications to join the LMI-Accessible CSG Program according to the criteria set forth in the new legislation."¹³ The May 30, 2024 Order further provided that

Continuing with Xcel's current application portal design would functionally require non-legacy CSG applicants to apply and receive approval as non-legacy projects through Xcel before applying to the Department. This process is not consistent with the plain language of the amended statute¹⁴

In both cases, the Commission clearly affirmed that Xcel Energy's role in the evaluating applications for the LMI-Accessible CSG Program is limited to interconnection and that it is otherwise the Department's purview to administer the LMI-Accessible CSG Program. Scrutinizing projects intended for LMI-Accessible CSG Program under inapplicable co-location rules is another example of inappropriate gatekeeping by Xcel Energy.

¹² CSG Statute at subd. 14.

¹³ ORDER IMPLEMENTING NEW LEGISLATION GOVERNING COMMUNITY SOLAR STANDARDS at 3, December 28, 2023, *In the Matter of Implementation of 2023 Legislative Changes to Xcel Energy's Community Solar Garden Program*, Commission Docket No. E-002/CI-23-335

¹⁴ May 30, 2024 Order at 3.

Xcel Energy argued in its May 8, 2024 response to Department that it would be unfair not to apply co-location rules to the Applications because they were submitted through the Legacy CSG Program portal. However, the Applications do not violate any co-location rule applicable to LMI-Accessible CSG Program and they were only submitted into Xcel Energy's Legacy CSG Program portal because no other option was available at the time to apply for interconnection. The Commission has since agreed that Xcel Energy's directions on how projects intended for the LMI-Accessible CSG Program should apply for interconnection were inappropriate and, accordingly, projects should not be penalized for proceeding to apply for interconnection pursuant the established MN DIP process. As the Department noted in its May 31, 2024 determination letter:

The Department objected to Xcel's tariff filing of January 5, 2024, which would have required interconnection applications for the LMI-accessible program to apply through a portal on Xcel's website, for the reason that Xcel had impermissibly interfered with the existing MN DIP process governing interconnection and may interfere with or complicate the Department's CSG program management. In its objection filed before the Commission, the Department reasoned further that it would be premature to have developers complete CSG applications with Xcel when the only prerequisite for an application with the Department is an interconnection agreement. The Commission agreed with the Department's reasoning at its April 4, 2024 Agenda Meeting, and verbally adopted a decision option that requires Xcel to revise its tariff so that its Distributed Generation Application Portal is used for interconnection applications. No decision option regarding *prior* violations of MN DIP by Xcel was considered or adopted.¹⁵ (Citations omitted.) (Internal quotation marks omitted.)¹⁶

With this Appeal, SunShare is asking for the Commission to clarify how its May 30, 2024 Order should apply to projects (such as those contemplated by the Applications that applied for interconnection during the period in which Xcel Energy was inappropriately attempting to prohibit projects intended for the LMI-Accessible CSG Program that were larger than 1 MW from applying for interconnection. Because the Commission has already determined that Xcel Energy's prior approach was inappropriate on a forward-looking basis, SunShare requests that the Commission confirm the same is true for projects that previously applied for interconnection.

C. Xcel Energy Did Not Timely Deliver the Co-Location Notice and Has Unreasonably Delayed Processing the Applications.

In addition to believing that the Legacy CSG Program co-location limits are inapplicable to the Applications, SunShare does not believe that Xcel Energy has complied with MN DIP or its tariff in processing the Applications. First, SunShare first received a co-location questionnaire for the Batch #1 Applications in October 2023 and submitted its response on October 25, 2023. That

¹⁵ Department of Commerce, Resolution of Co-Location Dispute at 10 (May 31, 2024).

¹⁶ May 31, 2024 Department determination letter at 10-11.

response plainly stated SunShare’s intention to transition that set of projects to the LMI Accessible Program prior to commercial operation. Xcel Energy did not further respond to that questionnaire and proceeded to deem those applications complete. Xcel Energy also deemed complete the remainder of the similarly situated batched Applications later in 2023. Xcel Energy did not raise further co-location concerns until it sent additional co-location questionnaires in February 2024, and then subsequently issued the April 17, 2024 co-location notice.

Xcel Energy’s tariff provides that it “will check for compliance with Co-Location size at two times: 1.) on or about the time of the determination of the Initial Application Completeness; and 2.) on or before the Date of Commercial Operation.”¹⁷ Xcel Energy took no action for 4-6 months following SunShare’s submittal of the October 25, 2023 co-location questionnaire, which transparently explained its plans to transition the batched projects to the new program, other than to continue processing additional batched applications and deem them complete. Issuing a co-location notice in April 2023 was inappropriate and not compliant with the timeline provided for co-location review in Xcel Energy’s tariff.

Further, it is SunShare’s view that Xcel Energy has not processed the Applications in accordance with MN DIP. None of the Applications have moved to the study stage despite having been submitted and deemed complete in late 2023 and despite being first in queue. SunShare has not received any system impact or other study agreements despite requests to Xcel Energy to proceed with the study process. Rather, Xcel Energy stopped processing the Applications upon delivery of the Co-Location Notice despite saying in the delivery e-mail that the Applications would continue to be processed while the dispute was pending. This delay harms SunShare’s projects because limited annual capacity in the LMI Accessible Program is based on the projects which first have signed interconnection agreements. By delaying the interconnection studies by half a year while other applications continued to be processed, Xcel is putting SunShare’s projects at risk of not receiving an allocation in the LMI Accessible Program, despite SunShare’s efforts to diligently develop projects in 2023 after passage of the amended CSG Statute. In light of these delays, the interconnection studies for the Applications should be expedited once the Commission confirms an appropriate path forward – ideally to be completed by November 1, 2024, which is approximately when SunShare would have anticipated completion of the studies.

D. The Commission’s May 30, 2024 Order Supports Transitioning the Applications to the Distributed Generation Portal or Continuing to Process Them in the Legacy Portal Until Approved For the LMI Accessible Program.

The May 30, 2024 Order provides direction to Xcel Energy on how to process new interconnection applications intended for the LMI Accessible Program and projects transitioning from the Legacy CSG Program to the LMI Accessible Program. SunShare believes it would be appropriate for Xcel Energy to treat the Applications the same as other projects that used the Legacy CSG Program portal that plan to transition to the LMI Accessible Program, in accordance

¹⁷ See Original Sheet No. 68.19, Section 9 of Xcel Energy’s Minnesota Electric Rate Book

with the new language approved for paragraph B of tariff sheet No. 9-99.09 (as set forth in the May 30, 2024 Order), which would allow the Applications to retain their queue position and proceed interconnection studies. Alternatively, SunShare is happy to work with Xcel Energy to transition the applications to the Distributed Generation interconnection portal so long as they maintain their queue positions and can proceed with interconnection studies. The bottom line is that SunShare's preferred path is to maintain the Applications as-filed – preferably with expedited studies to make up for the delays to date – while assuming that they will ultimately need to comply with the LMI Accessible Program requirements.

Finally, SunShare understands that if the projects are not ultimately accepted by the Department for the LMI Accessible Program due to that program's caps, and SunShare wishes to develop them as Legacy Program projects, then co-location limits will apply and the projects will need to be scaled down. However, for the reasons set forth above, SunShare respectfully requests that the Commission allow the Applications to proceed in the interconnection process as intended as projects that will be submitted to the LMI Accessible Program.

By copy of this letter, all parties have been served. A Certificate of Service is also attached.

Very truly yours,

Stoel Rives LLP

/s/ Sarah Johnson Phillips

Sarah Johnson Phillips

SJP:cal
Enclosures

cc: Service List

Exhibit A

Notice of Co-Location

Solar*Rewards Community Program

April 17, 2024

Notice of Co-Location

The Solar* Rewards Community (SRC) applications listed below show characteristics of being co-located with other applications from your Company, its affiliate, or another legal entity. Please consider this as the Xcel Energy Co-Location Determination Notice for the applications identified below by SRC number.

Applications Considered Co-Located:

Applicants	Garden Names	Applicant Case#s
Batch #1, SunShare	RedwoodSun 3 RedwoodSun 4 RedwoodSun 2 RedwoodSun 5	05526561 05526563 05526556 05526568
Batch #2, SunShare	PrinceSun PrinceSun 2 PrinceSun 3 PrinceSun 5 PrinceSun 4	05612339 05612420 05612502 05612567 05612544
Batch #3, SunShare	TonkaSun TonkaSun 2 TonkaSun 3 TonkaSun 4	05526581 05526584 05526587 05526590
Batch #4, SunShare	ChicorySun ChicorySun 2 ChicorySun 3	05605597 05605599 05605601
Batch #5, SunShare	AuburnSun AuburnSun 2 AuburnSun 5 AuburnSun 3	05612262 05612268 05612275 05612269
Batch #6, SunShare	ScenicSun ScenicSun 3 ScenicSun 4 ScenicSun 5 ScenicSun 2	05660743 05660772 05660779 05660783 05660763
Batch #7, SunShare	MooseSun 2 MooseSun MooseSun 4 MooseSun 3	05657248 05657215 05657253 05657250
Batch #8, SunShare	MapleSun MapleSun 2 MapleSun 3 MapleSun 4 MapleSun 5	05660541 05660589 05660623 05660661 05660696
Batch #9, SunShare	MysterySun MysterySun 2 MysterySun 3 MysterySun 4	05657289 05657293 05657295 05657297

Applicants	Garden Names	Applicant Case#s
	MysterySun 5	05657300

We consider the SunShare solar garden applications listed above being co-located with each other. Under the Company’s Legacy Community Solar Garden (CSG) program, the CSG size is limited to 1 MW. Co-location of several individual CSGs so that they together exceed the 1 MW threshold is prohibited because this would circumvent the 1 MW capacity limit per CSG (see tariff sheets 9-68.17 to 9-68.19). The Minnesota Public Utilities Commission has addressed co-location in several prior Orders in Docket No. E002/M-13-867, including Orders issued on August 6, 2015, December 15, 2015, February 21, 2017, December 21, 2017, November 19, 2019, and May 29, 2020. In these Orders, the Commission has clarified that:

- CSGs are co-located if they show characteristics of a single development.
- The list of characteristics on tariff sheet 9-68.17 is non-exhaustive and illustrative.
- All relevant factors must be considered in determining co-location.
- Co-location determination is based on the totality of circumstances in a particular case.
- CSGs should be wholly independent of one another and have no plans to share subscribers.

The Commission has stated that *“If circumstances suggest that the developer intended to circumvent the capacity limit for individual gardens or that two or more projects have effectively become a single development, then the projects would be considered co-located. . .”* (February 21, 2017 Order, p. 6)

SunShare argues that there is no co-location, because these applications were submitted with the intent to apply to the new Non-Legacy LMI-Accessible CSG program, and the applications together do not exceed the 5 MW system size limit for that new program. However, the CSG applications listed above were submitted to the Company’s Legacy CSG program and deemed complete prior to January 1, 2024. Therefore, the tariff and rules currently in place for the Legacy CSG program – including prohibition of co-location – apply. We have consistently communicated to the developer community that the Legacy CSG program does not accept applications larger than 1 MW and that the Legacy CSG program does not allow for co-location (see, for example, October 11, 2023 Solar*Rewards Community Update email.) Accordingly, we continue to apply the co-location rules and determination process for applications submitted under the Legacy CSG program.

Xcel Energy requests that the capacity of the co-located gardens be voluntarily reduced so that together they do not exceed 1 MW. If you do not voluntarily reduce this capacity, and do not timely appeal this Notice to the Department of Commerce, we will allow the first in queue project to continue the interconnection process and cancel the next-in-queue projects when the 1 MW limit is reached.

SunShare may appeal this Notice of Co-Location to the Department of Commerce within ten business days after receiving this Notice of Co-Location. If you wish to do so, please complete the attached Request to Contest Co-Location form. Please send your Request to Contest Co-Location with the previously completed Co-Location Questionnaire and this Notice of Co-Location, with any other relevant information/ attachments, to Xcel Energy and the Department of Commerce. Please email the documents and use the following email addresses: SolarRewardsCommMN@xcelenergy.com and Lissa.Pawlisch@state.mn.us.

During the co-location review and appeals process, unless if the Department or Commission rules against SunShare on the co-location issue, the SunShare projects identified above will be allowed to proceed through the application and/or interconnection process up to the point when they would

achieve interconnection, but they will not be allowed to interconnect. This allowance in no way limits Xcel Energy's ability to limit these applications' final approval due to co-location, subject to the limits and processes defined in the Section 9 tariff.



Solar*Rewards Community Request to Contest Co-Location

If you wish to appeal Xcel Energy's Notice of Co-Location to the Department of Commerce, please send this completed form, the previously completed Co-Location Questionnaire, and the Notice of Co-Location to both SolarRewardsCommMN@xcelenergy.com and LissaPawlisch@state.mn.us. The appeal must be made within 10 business days from the date you received the Notice of Co-Location.

Impacted Application ID Numbers:

I wish to contest the determination that these gardens are Co-Located based on the following information (use additional sheets as needed):

Printed Name _____

Title and name of Applicant Company _____

Signature _____ Date _____

E-mail _____ Phone _____

Exhibit B

Department May 31, 2024 Determination

May 31, 2024

VIA ELECTRONIC MAIL

David Amster-Olszewski
President
SunShare, LLC
1724 Gilpin Street
Denver, CO 80218

Jessica Peterson
Manager, Program Policy North
Xcel Energy
414 Nicollet Mall
Minneapolis, MN 55401

RE: Resolution of a Co-location Dispute
Docket Nos. E002/CI-23-335 & E002/M-13-767

Dear Mr. Amster-Olszewski & Ms. Peterson:

Attached please find the decision of the Minnesota Department of Commerce (Department) on the request for dispute resolution of the co-location of thirty-nine Community Solar Garden (CSG) applications under development by SunShare, LLC.

The Department finds that the projects at issue are co-located at nine project sites. We are available to answer any questions you may have.

Sincerely,



/s/ Michelle Gransee
Deputy Commissioner, Division of Energy Resources

MG/ar
Attachment

I. BACKGROUND INFORMATION

The Minnesota Public Utilities Commission's (Commission) August 6, 2015 *Order Adopting Partial Settlement as Modified* allows representatives of community solar gardens (CSGs) in the Solar*Rewards Community program operated by Northern States Power Company, d/b/a Xcel Energy (Xcel) that have been found by Xcel to be impermissibly co-located to appeal the decision to the Minnesota Department of Commerce (Department). In the event parties disagree with the Department's determination, disputes may be appealed to the Commission.¹

On April 17, 2024, Xcel issued a Notice of Co-Location² (Notice) regarding thirty-nine CSG applications in nine groups from SunShare, LLC (SunShare).

On May 1, 2024, SunShare filed a Notice of Co-Location Appeal (Appeal) to the Department.³

On May 8, 2024, Xcel provided a Response to Co-Location Dispute SunShare (Response) to the Department.⁴

II. DEFINITION OF CO-LOCATION

In accordance with the Commission's August 6, 2015 Order, applications to Xcel's Solar*Rewards Community program filed after September 25, 2015 are limited to 1 MW.⁵

In its December 15, 2015, Order,⁶ the Commission defined "co-located" CSGs as:

Community Solar Gardens shall be considered "Co-Located" if they exhibit characteristics of a single development, such as:

1. Common ownership structure;
2. An umbrella sale arrangement;
3. Shared interconnection;
4. Revenue-sharing arrangements; and
5. Common debt and equity financing.

Community Solar Gardens will not be considered co-located solely because the same person or entity provided tax-equity financing for the garden or garden project.

¹ Order Adopting Partial Settlement as Modified, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Community Solar Garden Program, Docket No. E002/M-13-867 (August 6, 2015).

² See Notice of Co-Location (April 17, 2024).

³ See SunShare CSG Co-Location Appeal Letter (May 1, 2024); *hereinafter* SunShare Appeal.

⁴ See Response to Co-Location Dispute, SunShare (May 8, 2024).

⁵ Order Adopting Partial Settlement as Modified *supra* note 1.

⁶ Order Approving Tariffs as Modified and Requiring Filing, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (December 15, 2015).

In adopting this definition, the Commission stated that “the test allows consideration of geographical proximity, but neither proximity nor any other factor is dispositive of whether gardens are part of a single development.”⁷ In its February 21, 2017 Order regarding co-location, the Commission further stated “this list is not exclusive; any factor relevant to whether projects form a single development should be considered in the analysis. And no single factor is dispositive of whether gardens are part of one development; rather, a co-location determination is based on the totality of the circumstances in a particular case.”⁸ In its December 21, 2017 Order, the Commission further clarified “those five factors are merely illustrative of the kinds of information the Commission might consider when evaluating the general question of whether proximate developments have enough in common to justify treating the developments as part of a common plan.”⁹ The December 21, 2017 Order made a finding of co-location but established compliance filing requirements, including commitments from the developers to maintain financial, marketing, ownership, and operational independence.

The Commission established similar compliance filing requirements to ensure continued independence for projects which it determined were not co-located in its November 19, 2019 Order¹⁰ and May 29, 2020 Order.¹¹

III. SUMMARY OF CO-LOCATION FACTS

Xcel maintains that SunShare “submitted seventeen [thirty-nine] interconnection applications at five sites on various dates in December 2023.”¹² These applications were submitted to Xcel via the Community*Solar Rewards or Legacy CSG program “portal” on Xcel’s website.

A. SUNSHARE ANSWERS TO THE CO-LOCATION QUESTIONNAIRES

SunShare submitted answers to Xcel’s co-location questionnaire for each of the nine clusters of project applications, identified here by SRC #: **1)** 5526561, 5526563, 5526556, 5526568; **2)** 5612339, 5612420, 5612502, 5612567, 5612544; **3)** 5526581, 5526584, 5526587, 5526590; **4)** 5605597, 5605599, 5605601; **5)** 5612262, 5612268, 5612268, 5612269; **6)** 5660743, 5660772, 5600779, 5660783,

⁷ *Ibid.* at 3.

⁸ Order Denying Co-Location Appeals, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (February 21, 2017).

⁹ Order Finding Co-Location, But Granting Exception Subject to Conditions, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (December 21, 2017).

¹⁰ Order Affirming Decision of the Department of Commerce, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (November 19, 2019).

¹¹ Order Affirming Department Decision and Requiring Compliance Filing, In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (May 29, 2020).

¹² Xcel Energy, Response to Co-Location Dispute SunShare Energy (May 8, 2024), at 2. Note that the number of applications at issue is thirty-seven, not seventeen, and that the batch of applications about which a co-location questionnaire was submitted on October 25, 2023 must have submitted applications earlier than December 2023.

5660763; **7)** 5657248, 5657215, 5657253, 5657250; **8)** 5660541, 5660589, 5660623, 5660661, 5660696; and, **9)** 5657289, 5657293, 5657295, 5657297, 5657300.

The answers to eight of those nine questionnaires are the same, with the exception of the questionnaire pertaining to the first group of applications, which was completed October 25, 2023. The answers to the other eight questionnaires, which were submitted to Xcel February 15, 2024, are as follows:

- *Are the current developer(s)/owner(s)/operator(s) of the impacted solar gardens in any way affiliated with each other?*

“Yes, these gardens have full common ownership.”

- *Is there, or has there ever been, any full or partial common ownership or common debt or equity financing among the past or current developer(s)/owner(s) or any of their affiliates of the gardens at issue?*

“Yes, the intention is to transition these projects into the non-legacy csg program and combine into one multi-MW project.”

- *Are there any umbrella sales agreements regarding the impacted solar gardens (e.g., an agreement to commonly market, enroll or sell to subscribers subscriptions to the two solar gardens; a master subscriber agreement that covers both solar gardens)?*
- *Are there any revenue-sharing arrangements regarding the impacted solar gardens?*

“Again the intention is to merge these projects under the non-legacy csg program so there will be a master subscriber agreement and revenue-sharing [sic] among all the listed case #'s.”

- *Are there any shared marketing efforts to obtain subscribers for the impacted solar gardens?*
- *Will the impacted solar gardens be wholly independent of one another with no plan to share subscribers?*

“The plan is to merge the projects into one larger project so they will have common marketing efforts [sic].”

- *Are the impacted solar garden sites located adjacent to each other? If not, what is the estimated fence-to-fence distance between the impacted solar garden sites?*
- *Are the impacted solar garden sites on the same parcel of land?*
- *Are the land lease agreements or other site control arrangements for the impacted solar garden sites with the same third-party land owner?*

“The solar garden sites are on the same parcel and under the same site control arrangements.”

- *Will the impacted solar gardens share the same point of interconnection to the same pole?*

“That is the intention, yes.”

The questionnaire for the first group of applications, that which was submitted October 25, 2024, responded to different prompts than those quoted above:

- *Is there, or has there ever been, any full or partial common ownership or common debt or equity financing among the past or current developer(s) or any of their affiliates of the gardens at issue?*

“Yes, these gardens have full common ownership.”

- *If no, then please answer the following:*
 - *Have the developers discussed or corresponded with each other regarding co-operation or resource sharing in developing or constructing the impacted solar gardens?*

“Yes, the intention is to transition these projects into the non-legacy program beginning in January of 2024.”

- *Have the developers executed any agreements between them regarding the impacted solar gardens?*

“These gardens all share the same owner (SunShare LLC). The intention is to transition these five 1MW projects into the new program to achieve a 5MW DER.”

- *Have the developers discussed, corresponded, or made any agreements regarding transfer of ownership so that one of them would own the impacted solar gardens?*

“We do not intend to transfer the ownership of any of these projects.”

- *Have the developers executed made any cost sharing arrangements regarding the impacted solar garden sites (e.g., sharing outside counsel costs, infrastructure costs, interconnection costs, or similar)?*

“These gardens are all being funded by SunShare LLC.”

- *Have the developers worked together or assisted each other in municipal permitting for the impacted solar garden sites?*

“SunShare LLC will be responsible for the permitting on all five of these projects.”

- *Are the impacted solar garden sites located adjacent to each other? If not, what is the estimated fence-to-fence distance between the impacted solar garden sites?*

“Yes, they are adjacent to each other.”

- *Are the impacted solar garden sites on the same parcel of land?*

“Yes, they are located on the same parcel of land.”

- *Are the land lease agreements or other site control arrangements for the impacted solar garden sites with the same third-party land owner?*

“Yes, all of the land lease agreements are with SunShare LLC.”

- *Will the impacted solar gardens be interconnected through the same feeder line?*

“Yes, they will be interconnected through the same feeder.”

- *Will the impacted solar gardens share the same point of interconnection to the same pole?*

“Yes, they will share the same point of interconnection.”

- *Will the impacted solar gardens share other infrastructure, such as access road or fencing?*

“Yes, they will share an access road and fencing.”

- *Has developer of one garden funded or paid any of the other gardens’ up-front development expenses, such as solar garden program application fees, interest on escrow deposit loans, permit application fees, expenses related to site layouts and single-line diagrams, or other similar expenses?*

“Yes, SunShare has funded and paid all of the up-front development expenses.”

- *Has the same engineer or engineering firm prepared the site diagrams for the impacted solar garden sites?*

“Yes, the same engineer has prepared all of the site diagrams.”

- *Will developer of one garden or any of its affiliate in any way be involved in the engineering, procurement, or construction (EPC) of the other gardens?*

“Yes, we intend to have the same EPC for all gardens.”

- *Will the same EPC contractor construct the impacted solar gardens?*

“Yes, that is our intention.”

IV. DEPARTMENT ANALYSIS

A. THE ACTUAL CO-LOCATION OF THE PROJECTS IS NOT DISPUTED.

The actual co-location of the projects is not in dispute. SunShare does not disagree that its thirty-seven projects are co-located in nine geographic clusters. Rather, SunShare contends that Xcel thwarted its attempt to apply for interconnection to the LMI-Accessible CSG Program by applying Xcel’s co-location screen for the Legacy program to applications eligible under the LMI-Accessible CSG Program in violation of Minn. Stat. § 216B.1641, subd. 14. SunShare further alleges that Xcel violated its own tariffs by applying the co-location screen outside allowable timeframes under its Legacy program tariff.

B. THE SCOPE OF THE DEPARTMENT'S AUTHORITY TO DETERMINE CO-LOCATION IS LIMITED TO THE LEGACY CSG PROGRAM.

These projects applied to the Legacy Program, rather than the LMI-accessible CSG program administered by the Department because they applied through the Legacy Program portal and because they do not have a signed interconnection agreement, which is required for participation. Therefore, the Department considers this Appeal in the context of the Legacy Program, and acts in its fact-finder role in that context to make a co-location determination based on the criteria applicable to the Legacy Program.¹³

V. DEPARTMENT FINDING REGARDING CO-LOCATION

The Department reviews co-location disputes to determine, based on the totality of the circumstances, whether the projects exhibit characteristics of separate unrelated developments, rather than a single development. The Department's focus is on whether the developer or developers are attempting to circumvent the co-location limitation imposed by the Commission for the Legacy Program. In making its determination, the Department relies on the guidance provided by the Commission, the intent of the co-location limitation, and the statutory directive that "there shall be no limitation on the number or cumulative generating capacity of community solar garden facilities other than the limitations imposed by Minnesota Statutes section 216B.164, subdivision 4c, or other limitations provided in law or regulation."¹⁴

Here, there is no dispute that SunShare's projects are co-located under the Legacy CSG Program rules and SunShare applied for interconnection through Xcel's Legacy CSG Program portal. Whether it was reasonable for Xcel to require developers to use the legacy application process for projects intended for the LMI-Accessible CSG Program is beyond the scope of this appeal. For the foregoing reasons and analysis, the Department affirms Xcel's finding that the projects are co-located.

VI. SUMMARY OF SUNSHARE'S POSITION AS TO OTHER ISSUES

A. SUNSHARE ASSERTS THAT IT APPLIED FOR INTERCONNECTION THROUGH THE ONLY AVAILABLE MEANS TO DO SO.

Sometime before December 31, 2023, SunShare submitted thirty-seven interconnection applications to Xcel, via Xcel's online "portal" to the Solar*Rewards Community program, or the Legacy CSG Program. SunShare claims that it was prevented from submitting interconnection applications through any means other than the Legacy portal:

¹³ *Id.* See also, Minn. Stat. § 216E.021, which delegates authority to the Department to determine whether a combination of solar energy generating systems meets the definition of large electric power generating plant and is subject to the commission's siting authority jurisdiction; and Minn. Stat. § 272.0295, which delegates authority to the Department to determine the size of a solar energy generating system used for the purposes of whether the system is subject to the solar energy production tax. These statutory authorities use the same criteria as those enumerated by Order, but are delineated for purposes distinct from the issue at hand.

¹⁴ Minn. Stat. § 216B.1641, Subd. 1(a).

On October 11, 2023, Xcel Energy issued a notice to community solar stakeholders (attached) [omitted] indicating that it would require projects intended for the new program to use the application portal for the new program and that such projects were not allowed to be submitted using non-CSG DER interconnection applications. However, Xcel Energy's new program portal did not exist at the time of that notice and still does not exist today – even though the legislation creating the new program was passed almost a year ago and the Department began accepting applications for the new program three months ago [the SunShare Appeal is dated May 1, 2024]. Developers wishing to develop projects for the new program had no other option other than to submit interconnection applications through Xcel Energy's legacy CSG portal in 2023 after the effective date of the law to begin the interconnection study process, which can often take a year or more. As a result, that is the path that SunShare took in submitting the SRC Applications, each of which are for projects one megawatt or smaller.¹⁵

SunShare further asserts that, “[a]lthough the amended CSG Statute contemplated opening the new program in January 2024 and required an interconnection agreement in order to apply, Xcel Energy offered no path for community solar projects sized for the new program (up to five megawatts) to obtain an interconnection agreement.”¹⁶

B. *SUNSHARE ASSERTS THAT THE PROJECTS ARE ELIGIBLE FOR THE LMI-ACCESSIBLE CSG PROGRAM.*

SunShare asserts that its “activities to develop community solar projects in 2023 and early 2024 that would suit the objectives of the new program (including serving low- and moderate-income (“LMI”) subscribers) are in keeping with the legislative intent of the amended CSG Statute.”¹⁷ SunShare further asserts “that it would be in keeping with the legislative intent to allow the SRC Applications to retain their queue positions, continue development, and avoid having to start the interconnection process over again.”¹⁸

C. *SUNSHARE CONTENDS THAT XCEL VIOLATED ITS OWN PROCEDURES FOR ITS LEGACY PROGRAM.*

SunShare notes that it received a co-location questionnaire for the first group of applications in October, 2023, but “Xcel Energy did not further respond to that questionnaire and proceeded to deem

¹⁵ SunShare Appeal at 1.

¹⁶ *Id.* at 2.

¹⁷ *Id.*, at 2-3.

¹⁸ *Id.*, at 3.

those applications complete.”¹⁹ Further, SunShare asserts that “Xcel did not raise further co-location concerns until it sent additional co-location questionnaires in February 2024.”²⁰ SunShare states that it “is surprised that Xcel Energy chose to issue this co-location notice now, many months after the applications were deemed complete.”²¹ SunShare contends that, “[i]ssuing a co-location now is inappropriate and inconsistent with the timeline provided for co-location review in Xcel Energy’s tariff.”²² SunShare cites Xcel Tariff Sheet 9-68.2, where Xcel “will check for compliance with Co-Location size at two times: 1.) in addition to the notices sent on August 18, 2015, on or about the time of the determination of the Initial Application Completeness; and 2.) on or before the Date of Commercial Operation.”²³

VII. SUMMARY OF XCEL’S POSITION AS TO OTHER ISSUES

A. XCEL ASSERTS THAT SUNSHARE APPLIED FOR THE LEGACY PROGRAM, AND THAT LEGACY PROGRAM RULES APPLY.

Xcel maintains that “it is inaccurate to state that these CSG applications had the option to choose between the Legacy program and the LMI Accessible CSG program by just submitting an application to the Legacy CSG portal.”²⁴ Xcel reasons that, “[w]hile it is possible for Legacy CSG projects to be transferred to the LMI Accessible program per Minn. Stat. §216B.1641 Subd. 14(b), the Minn. Stat. §216B.1641 is clear that those projects approved prior to December 31, 2023 under the Legacy CSG program must follow the rules outlined for the Legacy CSG program,” citing Minn. Stat. § 216B.1641, subd. 1 (h)(2)(i).²⁵ Xcel notes that it communicated to developers that, “since August 2023, the Company is not accepting applications intended to the LMI Accessible CSG program until the Company’s Tariffs have been approved by the Commission.”²⁶ Lastly, Xcel asserts a relationship between the 5 MW size limit for the LMI-Accessible CSG program, interconnection applications, the Commission hearing on the matter, and the Department’s role in approving applications to that program:

In its April 4, 2024 hearing in Docket No. E002/ CI-23-335, the Commission verbally approved a decision option that requires the Company to use its distributed generation portal for all interconnection applications, including those that will apply to the LMI Accessible CSG program. The Company believes this is relevant, considering SunShare’s interpretation that we should apply a 5 MW size limit for co-location, applicable to LMI CSG projects. Furthermore, none of SunShare’s projects subject to this dispute

¹⁹ *Id.*, at 2.

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

²⁴ *Id.*, at 6.

²⁵ *Id.*, at 6-7. Minn. Stat. § 216B.1641, subd. 1 (h)(2)(i) states: “This subdivision applies to a community solar garden that was approved before January 1, 2024.”

²⁶ *Id.*, at 7.

have been approved by the Department for participation in the LMI-Accessible CSG program. Instead, these projects were submitted to the Company's Legacy CSG program and therefore should follow the rules of that program.²⁷

B. XCEL CONTESTS SUNSHARE'S CLAIM THAT THE CO-LOCATION REVIEW WAS NOT TIMELY.

Xcel maintains that it sent SunShare a co-location questionnaire on October 25, 2023, and additional questionnaires were sent February 8, 2024 and returned February 15, 2024.²⁸ The Notice of Co-Location was provided to SunShare and the Department on April 17, 2024. Xcel cites the same section of its Rate Book—Section 9 at Sheet 68.19—as SunShare. But Xcel maintains that that timing was within the timeframe contemplated by tariff:

At the time of our initial co-location check and review, which prompted us the [sic] send the Co-Location Questionnaire to SunShare Energy in early February 2024, these applications were still in the initial stage of review. In fact, as noted in Table 1, [omitted] only one of these projects is currently in Study Review.²⁹

C. XCEL ARGUES THAT IT IS IN THE INTEREST OF EQUITY THAT THESE PROJECTS BE FOUND TO BE CO-LOCATED.

Xcel argues that, "SunShare's intent in submitting these co-located Legacy CSG applications was to circumvent the rules and get ahead in the DER Queue."³⁰ Queue position matters in this instance, Xcel asserts, because earlier queue positions can fill the capacity of feeder lines without having to pay for needed equipment upgrades.³¹ Xcel argues that, "[e]quity in the DER [distributed energy resource] process should be considered as part of the co-location analysis," and for this reason, "SunShare's appeal of the Notice of Co-Location should be denied."³²

VIII. DEPARTMENT ANALYSIS OF OTHER ISSUES

As stated above, the Department acts as fact-finder in the resolution of co-location disputes. Certain other elements of this dispute are the jurisdiction of the Commission.

SunShare alleges that Xcel violated the requirements of Minn. Stat. § 216B.1641, the recently-revised CSG statute. Under the revised CSG statute, the Department has exclusive authority to collect and evaluate community solar garden applications, verify project eligibility, and allocate solar garden

²⁷ *Ibid.*

²⁸ *Id.*, at 5.

²⁹ *Id.*, at 6.

³⁰ *Id.* at 8.

³¹ *Ibid.*

³² *Id.*, at 9.

capacity up to the statutory cap.³³ At the time that these projects applied for interconnection agreements, an open proceeding to delineate the transition between the Legacy and LMI-accessible CSG programs was before the Commission.³⁴ That proceeding concluded, in part, with the Commission's interpretation of the roles of Xcel and the Department with regard to the LMI-Accessible CSG Program: "The new program divides administrative roles between Xcel and the Department; Xcel will continue to evaluate the applicant's interconnection, while the Department will evaluate an applicant's qualifications to join the LMI-Accessible CSG Program according to criteria set forth in the new legislation."³⁵ Furthermore, "[a]n application to the Department must include several items, including a copy of the signed interconnection agreement."³⁶

The Commission has jurisdiction over the interconnection process as specified by Minn. Stat. § 216B.1611, as well as over MN DIP, which is the process established by the Commission for interconnecting distributed generation under the authority of that statute.

The Department also considers SunShare's contention that Xcel violated MN DIP by refusing to accept interconnection applications for these projects outside of its CSG portal. The Department objected to Xcel's tariff filing of January 5, 2024, which would have required interconnection applications for the LMI-accessible program to apply through a "portal" on Xcel's website, for the reason that Xcel had impermissibly interfered "with the existing MN DIP process governing interconnection and may interfere with or complicate the Department's CSG program management."³⁷ In its objection filed before the Commission, the Department reasoned further that "it would be premature to have developers complete CSG applications with Xcel when the only prerequisite for an application with the Department is an interconnection agreement."³⁸ The Commission agreed with the Department's reasoning at its April 4, 2024 Agenda Meeting, and verbally adopted a decision option³⁹ that requires

³³ The Department of Commerce's Objection to Xcel Energy's January 5 Tariff Filings, In the Matter of Implementation of 2023 Legislation Changes to Xcel Energy's Community Solar Garden Program, Docket No. E-002/CI-23-335 *and* In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (January 24, 2024) at 1. *Hereinafter*, "Department Objection."

³⁴ See Notice of Comment Period, Docket Nos. E002/CI-23-335 and E002/M-13-867 (July 26, 2023).

³⁵ Order Implementing New Legislation Governing Community Solar Gardens, In the Matter of Implementation of 2023 Legislation Changes to Xcel Energy's Community Solar Garden Program, Docket No. E-002/CI-23-335 and In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (December 28, 2023), at 5.

³⁶ *Id.* at 4.

³⁷ Department Objection at 3.

³⁸ *Ibid.*

³⁹ Decision Option 1b: "For non-legacy CSGs, Xcel must use its Distributed Generation portal for Interconnection Applications. Xcel may use or modify its existing CSG-specific portal once they are allocated capacity in the program by the Department." Minnesota Public Utilities Commission Agenda Meeting, MPUC Docket Nos. E002-CI-23-335 and E002/M-13-867, at 3:41 (Apr. 4, 2024), https://minnesotapuc.granicus.com/player/clip/2340?view_id=2&redirect=true. See also, Order Implementing New Legislation Governing Community Solar Gardens, In the Matter of Implementation of 2023 Legislation Changes to Xcel Energy's Community Solar Garden Program, Docket No. E-002/CI-23-335 *and* In the Matter of the Petition of Northern States Power Company, dba Xcel Energy for Approval of its Proposed Community Solar Garden Program, Docket No. E002/M-13-867 (May 30, 2024)

Xcel to revise its tariff so that its Distributed Generation Application Portal is used for interconnection applications. No decision option regarding *prior* violations of MN DIP by Xcel was considered or adopted.

Lastly, the Department considers SunShare's contention that Xcel's findings of co-location were not timely. Both SunShare and Xcel cite Xcel's tariff but come to opposite conclusions. The question of a tariff violation by Xcel is a novel one in the context of a co-location dispute. The Commission has authority over utility tariffs.⁴⁰

The Department's role in resolving co-location disputes is narrowly circumscribed by precedential Commission orders. The questions of whether Xcel violated statute, MN DIP, and/or its tariffs are beyond the scope of this co-location dispute and should be brought separately before the Commission.

⁴⁰ Minn. Stat. § 216B.09.

Exhibit C

Xcel Energy October 11, 2023 Notice to Stakeholders



Colin O'Neil <coneil@mysunshare.com>

Community Solar Garden Program Transition

'Solar Rewards Community MN' via MN Shared Solar I <mnssi@mysunshare.com>
Reply-To: Solar Rewards Community MN <SolarRewardsCommMN@xcelenergy.com>

Wed, Oct 11, 2023 at 11:50 AM

Solar*Rewards Community Update

October 11, 2023



Community Solar Garden Program Transition

We've received questions regarding the transition from the Legacy to the Non-Legacy community solar garden program. Our August 28, 2023 filings (Response and Petition) to the Minnesota Public Utilities Commission in Docket Nos. E002/CI-23-335 & E002/M-13-867 provide information on the transition from the Legacy CSG Program to the Non-Legacy CSG Program. See below for key details and clarification from that filing and other background information:

Applying to the Legacy Program:

- The Legacy CSG Program does not accept applications larger than 1 MW (Current [Section 9 Tariff](#)).
- The Legacy CSG Program does not allow for Co-Location (Current Section 9 Tariff).

Applications to the Legacy Program *approved* before January 1, 2024:

- A Legacy CSG application that is *approved* before January 1, 2024 will continue to be processed as a Legacy CSG. It is our understanding that these applications may also choose to apply to the Non-Legacy program if the Non-Legacy program requirements are met (Page 8, Response).

Applications to the Legacy Program not approved before January 1, 2024:

- The Legacy Program will close for any Legacy CSG applications not *approved* before January 1, 2024. The Company will process Legacy CSG applications that have not yet been *approved* until December 31, 2023. It is our understanding that a Legacy CSG application that is not *approved* before January 1, 2024 will be eligible to apply to the Non-Legacy program, if the Non-Legacy CSG program requirements are met. We have also proposed that a Legacy CSG project that re-applies to the Non-Legacy program may keep its existing queue position as long as there are no Material Modifications to the PV system (Page 11, Response).
- The definition of "approved" is not yet determined. The Company recommended the approach of a signed and funded Interconnection Agreement (Pages 9 and 10, Response). We expect the Commission to make a policy decision regarding the appropriate approach later this year.

Applying to the *Non-Legacy* Program:

- A new program is being created in our Application Portal for the Non-Legacy Program because the structure in our Legacy CSG Application Portal is not applicable to the Non-Legacy CSG program. (Page 6, Response).
- We are requiring that new interconnection applications for the Non-Legacy program utilize the Application Portal for the Non-Legacy Program when applying for interconnection. This will allow for specific treatment of Non-Legacy applications, including the appropriate Non-Legacy bill credit structure, consolidated billing, etc., after the Department of Commerce has approved the application to the Non-Legacy program and other interconnection requirements are met.
- This means that developers cannot submit a non-CSG DER interconnection application (which is not submitted through the CSG Application Portal, and which is not submitted as a Non-Legacy CSG) and later attempt to transfer that non-CSG DER interconnection application (or its queue position) to a Non-Legacy CSG application (Page 6, Response). Our Application Portal cannot accommodate this type of transfer. All stakeholders have been apprised that we will not allow this, and most developers have relied on this communication and followed this procedure. It would be unfair and inconsistent to make exceptions.
- Applications must be submitted via the Interconnection Portal – [Login \(site.com\)](#)

Similar explanations can be found in our Petition on pages 5 and 6 and proposed tariff Sheets 9-66.1 and 9-99.09 attached to our Petition.

Next Steps:

- Xcel Energy provided Reply Comments in the docket on Monday, October 9, 2023.
- The Commission will have an Agenda Meeting we believe likely in December 2023 where we anticipate verbal votes clarifying the requirements of the new program's implementation.
- The Portal will be able to intake applications for the new program following the Commission's written order from its December 2023 meeting, and Xcel Energy filing compliance tariffs as provided for in that written order. We currently anticipate that this will be sometime in January 2024.

For additional guidance and information, please refer to the following in Docket Nos. E002/CI-23-335 & E002/M-13-867: Xcel Energy's August 28, 2023 Response: [searchDocuments.do \(state.mn.us\)](#) and Petition/Proposed Tariff: [searchDocuments.do \(state.mn.us\)](#)

Respectfully,

The Solar*Rewards Community Program Team
Xcel Energy

E:SolarRewardsCommMN@xcelenergy.com

Community Solar Garden Developers | Xcel Energy

Visit our website for more information about interconnecting a community garden with Xcel Energy!



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Other helpful resources:

- For questions about your electric service/account: Call Customer Service - 1-800-895-4999
- For questions about rates/electric bills/incentive payments:
 - Residential customers: Call the Energy Experts – 1-800-824-1688
 - Commercial customers: Call the Business Solutions Center – 1-800-481-4700
- For questions regarding meter orders/scheduling: Call the Metering Shop - 1-800-422-0782

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Exhibit D

Xcel Energy's 2024 Q2 Minnesota DER Stakeholder Workgroup presentation dated May 15, 2024



2024 Q2 MINNESOTA DER STAKEHOLDER WORKGROUP

Solar*Rewards

Distributed Generation

Solar*Rewards Community

May 15, 2024

Welcome & Meeting Logistics

Thank you for joining us!

- 1:00pm – 3:00pm Central Time
- Remote session:
 - Unmute and turn camera on while speaking
 - Chat and Raise Hand functions are available for questions and comments
- **Goal: collaborative discussion** – PPT is outline only



Quarterly Meetings 2024 Schedule



Welcome & Meeting Logistics

How To Participate

Reviewing the PowerPoint is not replacement for attending a Quarterly Stakeholder Workgroup Meeting.

Xcel Energy's role is to host Meeting:

- Provide information
- Engage in discussion
- Receive feedback

Stakeholder's role is to participate in Meeting:

- Retain **information** (and disseminate to others within their organization)
- Engage in discussion
- Provide **feedback**



Welcome & Meeting Logistics

Who Should Participate

All MN DER participants:

- Are you developing DER? Yes.
- Are you operating DER? Yes.
- Are you an EPC for DER? Yes.
- Do you own DER? Yes.
- Do you manage subscriptions or sales for DER? Yes.
- Are you a stakeholder in DER proceedings? Yes.

Critical attendees:

- Application Agent or Primary Application Manager (PAM)
- Engineers, Designers, etc.
- Those that work in Construction, Policy, etc.
- Those that work with Subscribers and other DER Customers

At a minimum, one representative per organization. The more the merrier!

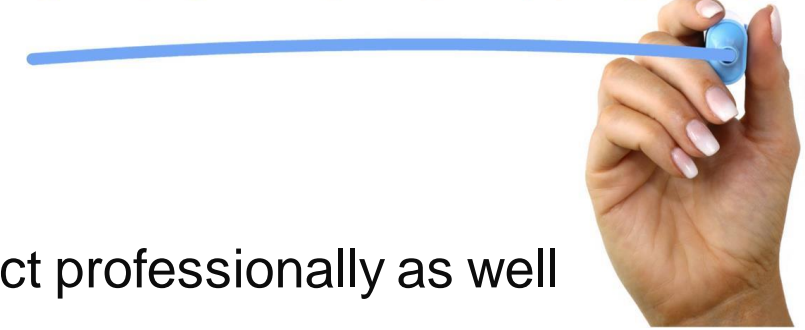
- This is for your benefit – you are responsible for understanding and using the information presented today
- If you're not sure, ask questions! This is a collaborative environment.



Welcome & Meeting Logistics

Expectations for today, and Program-Wide

CODE OF CONDUCT



Code of Conduct | MnSEIA

- We are professionals and expect the stakeholder community to act professionally as well
- We may not agree on policy or standards but can achieve more through professional discourse
 - Respectful and truthful (full array of facts)
 - Start with an assumption of positive intent
 - Be mindful of interrupting
 - Make your point once; **do not hijack the conversation to repeat your argument**
- Non-fact-based claims, personal accusations, derogatory language and slander are not tolerated
- Anyone conducting in a non-professional manner will be asked to leave

We reserve the right to end any interaction that is not being conducted in a civil, respectful, and professional manner

Welcome & Meeting Logistics

Approval of 2024 Q1 Meeting Minutes

- Q1 Meeting Minutes sent via email to attendees this morning.
- **Does anyone disapprove?**
- Once approved, Meeting Minutes will be filed in Docket 13-867
- All stakeholders are expected to know and follow topics and processes discussed at Meetings and are encouraged to refer to the Meeting Minutes for reference as needed

Welcome & Meeting Logistics

Agenda

***Timeline is Estimated**

1:00 pm	Welcome & Meeting Logistics
1:10 pm	On-Site Programs
1:45 pm	All MN DER Interconnections
2:30 pm	Community Solar Programs
3:00 pm	Open Discussion & Closing



ON-SITE PROGRAMS

1. Program Updates

Solar*Rewards

Solar-Powered Storage Incentive

Solar on Schools / Public Buildings

Cost Sharing

2. Reminders

*Budget data as of 5/10/2024

Solar*Rewards

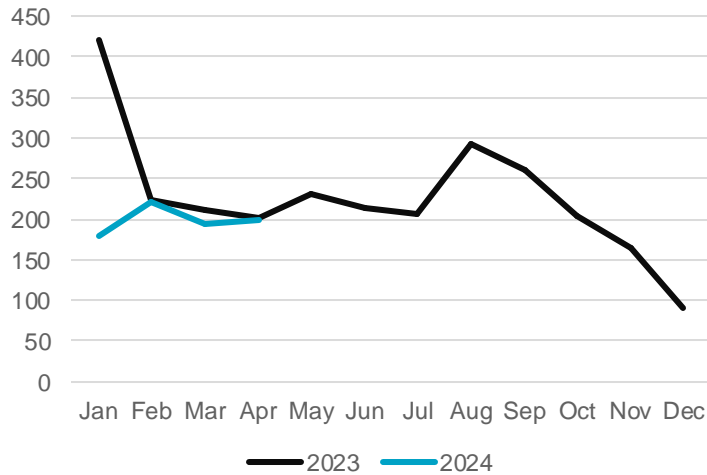
2024 Program Launch Updates

2023 Overall Program Budget	Budget Allocated	Budget Available
\$11,237,004	\$2,440,796 (22%)	\$8,796,208 (78%)

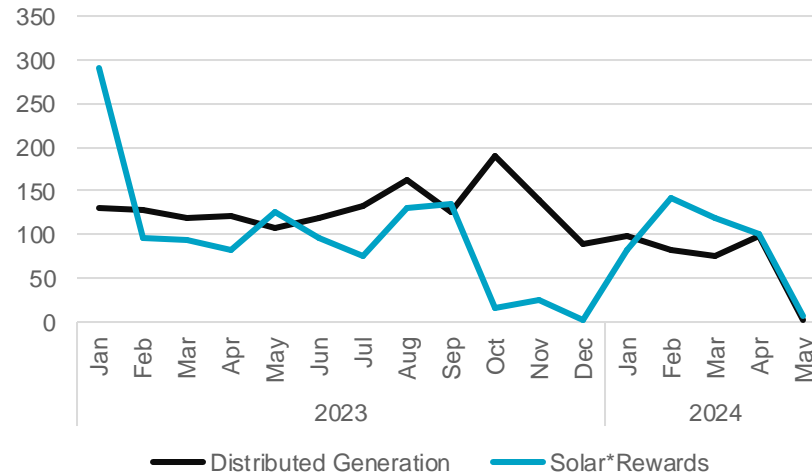
Budget Breakout by Type:

Income-Qualified (50% + Rollover)	Budget Allocated	Budget Available
\$5,913,523	\$1,114,535 (19%)	\$4,798,989 (81%)
Non-IQ Residential (50% + Rollover)	Budget Allocated	Budget Available
\$5,323,481	\$1,326,261 (25%)	\$3,997,219 (75%)

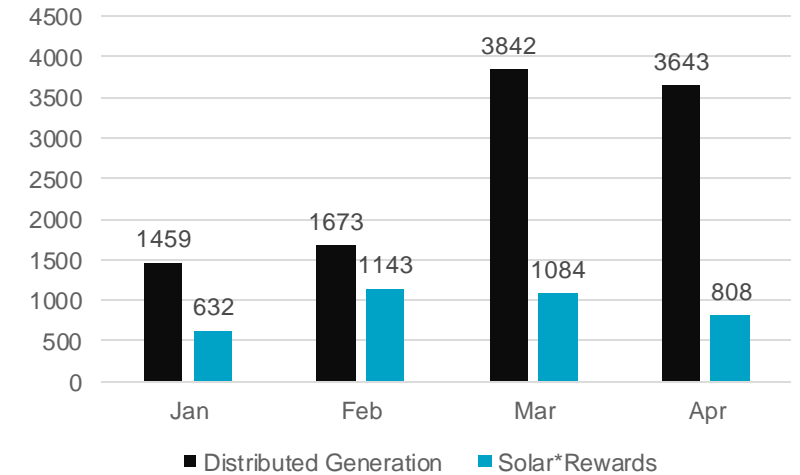
Application Volume by Year



Application Volume by Program



Capacity Allocated by Program



Budget updates are actively updated and can be viewed here: [On-site Solar | Renewable Developer Resources | Xcel Energy](#)

Cost Sharing Fund

Year-to-Date Update

Fund Balance at Quarter-End (March 31, 2024)

Fee	Type	# of Apps	Average \$ per App	Total \$ Amount
Beginning Balance (end of Q4)				\$180,300
Cost Sharing Fee Deposits	Incoming	589	+\$200	+\$117,800
Supplemental Review Fee	Outgoing	63	-\$200	-\$12,600
Upgrade Costs	Outgoing	17	-\$8,699	-\$180,415
YTD NET FUND BALANCE				\$105,085

Cost Sharing Program reminders:

- Any application 40 kW and under
- Income-qualified applicants do not have to pay fee but have access to the funds
- Cost Sharing fees are non-refundable and non-transferable

PV Demand Credit

Overview and Reminders

- Opt-in rate available for demand-metered customers with PV systems greater than 40 kW AC
- Coordinated outside of the Interconnection Application process (although can occur simultaneously)
 - Requires an amendment to the customer's Energy Service Agreement (ESA)
 - Customer must contact their account manager or the Business Solutions Center (BSC) to coordinate the paperwork
 - Installers may also assist with this process on behalf of the customer, but must have a signed agent authorization form from the customer
- A customer is considered enrolled in the PV Demand Credit on the date when both the new ESA is countersigned by Xcel Energy and the PV system under the agreement is fully operational and granted Permission to Operate (PTO).
- For more information, visit: [Net Energy Metering | Renewable Energy | Xcel Energy](#)

Solar for Schools / Solar on Public Buildings

Department of Commerce Incentive Programs

Solar for Schools:

- 2024 Funding Round 1:
 - Full Grant Application due June 7, 2024.
- 2024 Funding Round 2:
 - Readiness assessment: July 1 - July 31, 2024
 - Full grant application due Nov 30, 2024

SolarForSchools@state.mn.us

Solar Public Buildings:

- 2024 Funding Round :
 - Readiness assessment: April 22 – June 3, 2024
 - Full grant application due Sept. 23, 2024

SolarOnPublicBuildings.COMM@state.mn.us

Notes:

- Xcel Energy drafted an Acknowledgment Agreement that will replace the Memorandum of Understanding (MOU) for customers in Xcel Energy territory.
- More information about the program can be found online:

[Solar for Schools / Minnesota Department of Commerce - Energy \(mn.gov\)](#)

[Solar on Public Buildings / Minnesota Department of Commerce - Energy \(mn.gov\)](#)

Storage Incentive Program

Program Overview



- Department of Commerce filed their Decision on March 20, 2024 in Docket 23-459
- Purpose of the program is to help reduce the cost to purchase and install an on-site energy storage system
- Will be treated as an “Opt-In Program”; additional actions built into existing product types in the application portal
- Eligible Energy Storage Systems (ESS):
 - Must be located in Xcel Energy territory
 - Must have a capacity of 50 kWh or less
 - Must be charged by a solar system
 - Must be new and in the process of being purchased and installed.
- **Program Launch: August 1, 2024**

Storage Incentive Program

Program Overview, cont.



- Incentive Structure:
 - Non-Income-Qualified Customer - **\$175 / kWh**
 - Income-Qualified Customer - **\$370 / kWh**
 - Maximum incentive capped at \$5,000
- ESS incentive payments to be paid within 30 business days of applicants receiving Permission to Operate (PTO)
- 10% of program budget will be specifically reserved for Income-Qualified customers until September 1, 2026.

Storage Incentive Program

Current In-Progress Application



Scenario:

A customer is interested in waiting to purchase and install their ESS after August 1 so they can take advantage of the program incentive. What are next steps to adjust their current in-progress Solar + Battery application?

- Submit a proposed modification to the application, removing the ESS references in the one-line/site plan and/or making it clear which equipment is being installed and considered for operation
- This is especially important for the Acceptance Testing stage to make sure it is accurate to what is installed. If the one-line does not accurately reflect the installed system, we will not be able to continue with the test.
- Upon review and approval, the team will remove any ESS references or equipment/assets from the application.

On-Site Application Reminders

- **Do NOT install** any DER system prior to completing the entire Interconnection Process, including all required engineering screens and/or studies and fully executed a MNDIA (Interconnection Agreement)

- Systems installed prior to approval may not ever receive PTO if there are capacity constraints on the grid that are too expensive for the customer to remedy
- Any and all risk is assumed by the installer and/or customer

- **Design and Construction Step – Submitting Final Documents**

- The Program continues to note a high rejection rate for these documents (Final Electrical Inspection/Certificate of Completion and Proof of Insurance). Please ensure the insurance documents are active upon submission, list the appropriate premise address and meet all tariffed requirements.



MN DER INTERCONNECTION

- I. Engineering**
- II. Design & Construction**



DER ENGINEERING

- 1. Hosting Capacity Tools**
- 2. Technical Planning Standard (TPS)**
- 3. Smart Inverters**
- 4. Priority Queue**
- 5. Capacity Reservation**
- 6. Transmission Study Process Update**
- 7. Witness Testing**

Hosting Capacity Tools

Before submitting a formal interconnection application

[Interconnection | Renewable Developer Resources | Xcel Energy](#) and

[Suggested Tools to Use Before Submitting an Interconnection Application](#)

1. Hosting Capacity **Map**
2. Monthly Public DER Queue and the "**Known Capacity Constraints**" tab
3. Pre-Application **Data** Report
 - Data presented is existing, readily available data that utility has desk-top access
 - Informational only, does not guarantee anything to applicant
 - Developer analysis of data presented does not guarantee capacity
 - Formal Interconnection Application and study determine actual interconnection feasibility

And much more!

DER Technical Planning Standard

Order issued on February 27, 2024 dismissing the complaint in Docket 23-424. Order also requires Xcel Energy to host informational stakeholder meetings with relevant and interested parties on the justification and decision making behind the Company's implementation of the TPS by March 1, 2024, including options to apply TPS more granularly and set aside a smaller buffer. Xcel Energy must also file meeting summaries within this docket.

February 21, 2024 – held initial meeting.

May 8, 2024 - Follow up meeting to hear more information on proposals submitted

May 29, 2024 - Xcel Energy will host and provide a response to the proposals

Smart Inverters

Interim Process for Smart Inverter Transition

- TIIR and TSM have been fully implemented requiring all inverters to be IEEE 1547-2018 compliant and certified to UL 1741-SB.
- For study track projects deemed complete on or after 1/1/24, a Smart Inverter is required and will be utilized in the System Impact Study (SIS).
- For study track projects deemed complete prior to 1/1/24, developer decides prior to the start of the SIS if they want to use:
 - Smart Inverter Only-Standard Cost
 - Traditional Inverter Only-Standard Cost
- Developer/DER Owner will have 10 days to confirm how to proceed

Queue Priority

Priority and General Queues – and new docket on capacity reservation

Commission's April 15, 2024 order in Docket 16-521 requires two queues for Xcel Energy – a "Priority" queue and a "General" queue. Those applications in the Priority Queue have priority over those in the General queue that have not yet started a System Impact Study nor have a signed Interconnection Agreement. Priority queue includes those "customer sited" DER projects up to 40 kW that comply with the 120% rule, as well as those applications that participate in the Solar on Schools and Solar on Public Building programs.

Commission has opened new Docket 24-176 to address issues on capacity reservation for specific types of DER projects. Initial comments due June 7, and Reply comments due June 28.

Transmission Study Process Updates

General

- Developers flagged for transmission studies can opt to wait until receiving their distribution System Impact Studies to decide whether to move forward with a transmission study or withdraw.
 - Developer still has 15 business day to decide to move forward and sign SOW once distribution SIS results are received.

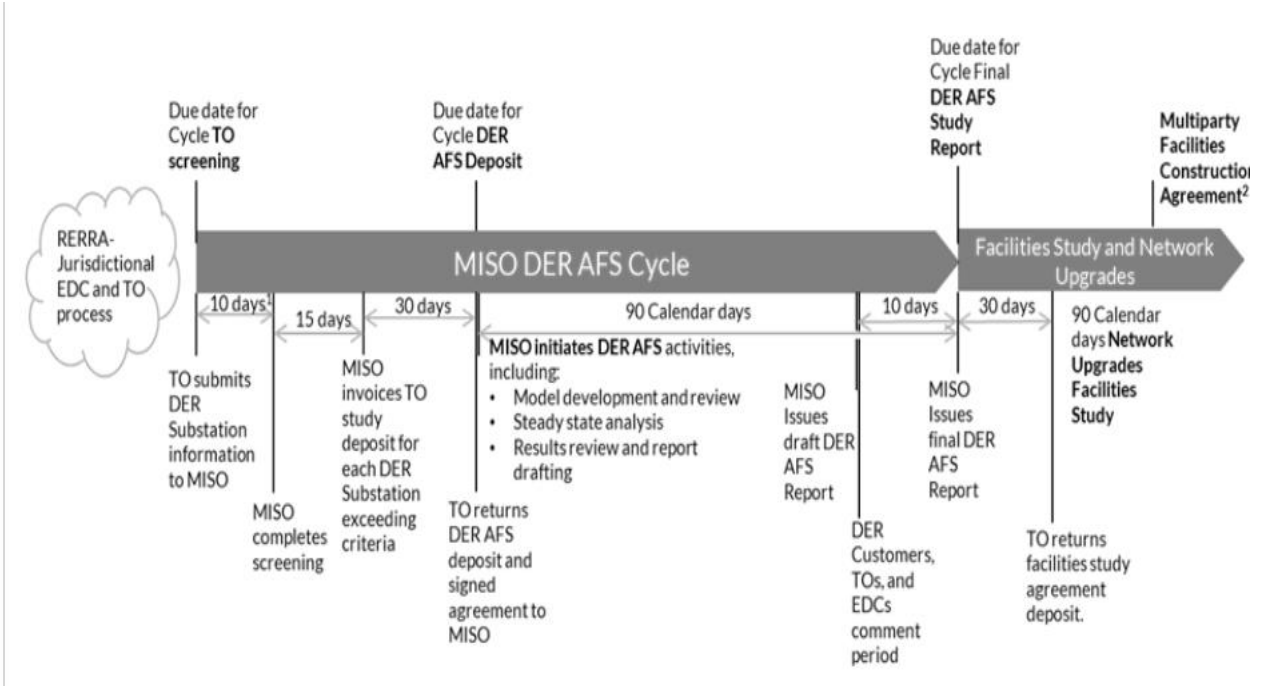
Internal Transmission Study (ITS)

- Study deposit was reduced from \$45,000 to \$33,000.
- Projects entering ITS have until June 23, 2024, to fund study
 - True-ups will be provided after this date
- Projects with signed SOWs and funded will be studied starting on July 1, 2024

Transmission Study Process Updates

MISO

- MISO Study quarterly cadence began October 1, 2023
- Next screening window closing date: June 3, 2024
- MISO milestone dates can be seen at [Distribution \(misoenergy.org\)](https://www.misoenergy.org/planning/resource-utilization/distribution/)¹ under Quarterly DER AFS Study Cycle Schedules
 - Note: Screening timeline begins prior to the 90-calendar day study timeline




¹ <https://www.misoenergy.org/planning/resource-utilization/distribution/>

Witness Testing Resources

Interconnection | Renewable Developer Resources | Xcel Energy

1. [Xcel Energy Developer Quick Reference for Large PV Acceptance Witness Testing](#)
2. [Xcel Energy Standard for Electric Installation and Use \(AKA the “Blue Book”\)](#)
3. [MN Community Solar Commissioning Guidelines v1.5](#)
4. [MN Technical Specifications Manual \(TSM\)](#)
5. [IEEE 1547 - IEEE SA - IEEE 1547-2018](#)
6. [Updated Technical Interconnection and Interoperability Requirements \(TIIR\)](#)



Xcel Energy
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Quick Reference Sheet for Large PV Acceptance/Witness Testing

The following items will typically be verified by Xcel Energy during witness test of a large PV system. **This is not an exhaustive list of all requirements, nor does this replace the required test procedure unique to each system.** Large PV systems are required to meet all state tariff requirements, Xcel Energy Standards for Electric Installation and Use (Blue Book), and all applicable local regulations before being granted permission to operate. Xcel Energy may, while on site, request demonstration of compliance to any of these standards or regulations. If the site is in MN, then, review the latest version of the “MN-Community-Solar-Commissioning-Guidelines” document at XcelEnergy.com for an in-depth review of commissioning and witness test requirements.

The Site/Developer personnel should be qualified for completion of the test. The personnel shall have the proper PPE and tools for execution of the testing. The site should be ready for testing at the scheduled start time.

Site Security

- Site should have 24/7 keyless entry and drivable access if Xcel Energy equipment is present within the site fence.
- If applicable, site should have 24/7 drivable access to any Xcel Energy equipment installed outside of the site fence that is used for the sole purpose of feeding the PV system.
- Gate Signage – needs to have 24/7 emergency contact information, site name, address, and Xcel Energy site identification number (SRC Number for Solar Gardens and Case Number for On-Site Solar).

Proper Labelling

- Devices labelled clearly
 - AC Disconnect for each site labelled
 - Billing Meter socket for each site labelled, if present
 - Production Meter socket for each site labelled, if present
 - *Each device should be labelled distinctly so as to be able to tell the difference between devices for each individual PV system, i.e. “Production Meter – Unit 1,” “Production Meter – Unit 2,” etc.*
- Placard indicating device locations
- Labelling matches at the billing meter (where the bi-directional A3 meter is located) and it’s corresponding inverter pad prior to setting production meter
- Verify telemetry cabinet hasn’t been altered
- Once meters are set, power flow in proper direction will be verified
- Polarity markings (white dot) on Production Meter CT must face towards inverters
- After the Production Meter is set, the telemetry test will begin:
 - Check that Ethernet connections are made
 - Developer must provide Female RJ45 plug for all Production and Billing Meters on site.
 - Check that the telemetry cabinet is powered up

One-Line (DG/AE)

- System Layout Resembles One-Line
 - *Number of inverter pads, disconnects, etc. should be the same, overhead vs underground metering points, etc.*
- Grounding Bank Nameplate Matches One-Line – Transformer Test Report is available and serial number matches installed unit

Anti-Islanding Witness Test

- System is generating at fullest reasonable capacity.
 - *System output may be limited by cloud cover or by developer. All PV panels should be cleared of snow prior to beginning test. System must be generating a minimum of 5%. For systems outputting less than 15% of rated capacity, the test may continue if the direction of power is shown. Handheld or temporary metering devices cannot be used to determine direction of power. For systems outputting above 20% then certain protection schemes using negative sequence, zero sequence, or other imbalance detection relays may need to be disabled. All inverters must be operational and in-service.*

Quick Reference for Witness Testing Document Version: 2.1
1 of 2



DESIGN & CONSTRUCTION

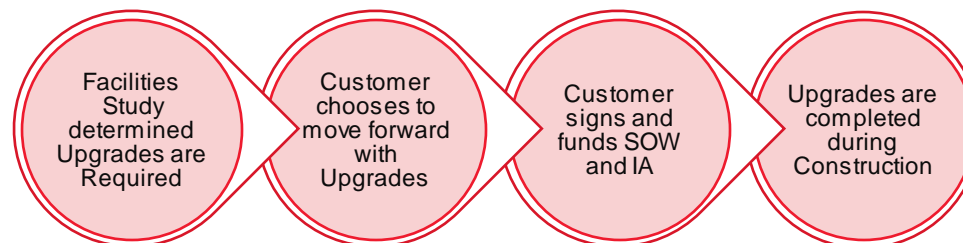
1. Communicating with On-Site Xcel Energy Designers



Design & Construction Reminder

Communicating with On-Site Xcel Energy Designers

- Xcel Energy designers become involved in projects when a study has determined upgrades are required for an Interconnection Agreement (IA).
- Inform your designers when an IA requiring construction upgrades has been signed.
 - After an IA requiring upgrades has been executed designers will submit an invoice with a Statement of Work (SOW) that must be signed and fully funded to move forward.
- If you are not receiving the invoice and SOW from your designers, please ask.
- The site contact will be notified when Xcel Energy's required construction upgrades are complete.
- Designers should only be contacted after an Interconnection Agreement has been executed, unless a meeting has been scheduled by the program management office.



A photograph of a solar farm with rows of dark solar panels in a green field under a blue sky with scattered white clouds. The image is partially obscured by a white diagonal shape that frames the text.

**CUSTOMER-SITED INSTALLERS
CAN DROP HERE**





SOLAR*REWARDS COMMUNITY

Interconnection Applications

Accepting Applications

Best Practices



Distributed Generation Portal

Accepting Applications for Distributed Solar through Portal – May 16

May 16, 2024, 9am CST
Distributed Generation Portal to include an option for large solar applications up to 5 MW.

Utilize the [job-aid](#) attached in email.

Community Solar Update

May 13, 2024



Distributed Generation Portal Opening May 16, 2024

The Company is excited to announce that on May 16, 2024, it is opening its Distributed Generation (DG) portal for interconnection applications that may later apply to the Department of Commerce's Low-to-Moderate Income (LMI) Accessible Community Solar Garden (CSG) program. We appreciate your continued patience throughout this transition process.

New Interconnection Applications

Beginning on May 16, 2024, developers can apply for interconnection through the DG Portal and classify the application as MN - DG Solar up to 5 MW. To ensure the process is smooth, attached is a job-aid that walks through submitting new interconnection applications for these types of projects. Please note, although some parts of the process remain the same, there are a few key differences which you will see marked as "NEW" in the PowerPoint.

Legacy CSG Applications Transitioning to the LMI Accessible CSG Program

There is no action necessary for developers moving from a Legacy CSG to a LMI Accessible CSG within the Interconnection Portal. If your interconnection application was previously submitted through the Legacy CSG portal and has (1) already been approved by the Department into the LMI Accessible CSG program, or (2) may in the future be approved by the Department for participation in the LMI Accessible CSG program, you do not need to do anything in the portal with your application.

The Company will work with you on a manual process for payment of the upfront LMI Accessible CSG program fee and other particular issues. Your projects will continue to be processed in the Legacy CSG portal but where they align with the LMI Accessible CSG program and related tariff provisions they will receive the LMI CSG bill credits for production beginning on the first day of the calendar month following permission to operate (PTO). This process will be done within the system itself and does not require an update by the applicant.

Quarterly Stakeholder Workgroup

As a reminder, please join us for our Q2 Stakeholder Workgroup meeting this Wednesday, May 15. If you'd like to attend and have not already registered, please do so [here](#).

Again, we thank you for your patience and look forward to implementing this exciting new program in the very near future!

Respectfully,

The Community Solar Garden Program Team

Xcel Energy

E: SolarRewardsCommMN@xcelenergy.com

[Community Solar Garden Developers | Xcel Energy](#)

Visit our website for more information about interconnecting a community garden with Xcel Energy!

Please consider the environment before printing this email

Distributed Generation Portal

Accepting Applications

New Applications

- You will apply through Distributed Generation program in the Salesforce portal and classify your application as “MN – DG Solar up to 5 MW”
 - There are several pieces of a DG Application that are not relevant to a project such as a CSG. For the time being, we have created manual solutions to address these.
- The process for DG has not changed, but those developers who have used the CSG Portal may be unfamiliar with the requirements. Look for slides with a “NEW” star.

Application Fee

- \$4,125 per MW fee will be collected via the portal following approval into LMI CSG program.

Distributed Generation Portal

Accepting Applications

Legacy Applications (deemed complete prior to January 1, 2024)

- Applications already approved into LMI Accessible CSG Program:
 - No action in portal necessary. Your interconnection application will continue to be processed in the Legacy portal and will be treated as an LMI CSG program following PTO.
- Applications that receive approval into LMI Accessible CSG Program at a later date:
 - No action in portal necessary. Your interconnection application will continue to be processed in the Legacy portal and will be treated as an LMI CSG program following PTO.

Application Fee

- \$4,125 per MW
 - We are anticipating this fee to not be collected via the portal as usual – instead it will be part of a manual process. More details to come!

Distributed Generation

Legacy Applications

For applications **deemed complete prior** to January 1, 2024

- Your application is eligible to apply to the LMI CSG Program.

For applications **not deemed complete prior** to January 1, 2024

- Your application is eligible to apply to the LMI CSG Program.
- You do not need to do anything with your application until the tariff is filed. The tariff will provide details on how they will need to proceed.

The Company hopes to file revised tariffs within ~10 days from when the Commission provides the official written order.

Distributed Generation Portal

Best Practices

The Company has been working on an internal process to effectively and efficiently accept applications that may be later be submitted to the Department's LMI CSG Program.

Our team will be available during regular business hours (9am-4:30pm CST) to assist with applications. Any requests submitted will be worked on in the order they were received.

Please utilize the below tips to help keep the process moving smoothly:

- Allow 3 Business Days for our team to respond via email, we will endeavor to meet this timeframe.
- For steps in the job-aid that require you emailing the SRCMN inbox, please use exact subject line.
- When emailing about a specific application, please provide IA and/or Case Number.

Distributed Generation Portal

Q: Will the same premise and account placeholder be used for all projects?

A: Yes, the placeholder will be the same for each project.

Q: What if you don't have a Customer Meter Number?

A: Enter zeros as a placeholder until you have meter information.

Q: Is there a way to avoid the 120% validation rule before reaching that point in the portal?

A: No, we will manually override that when the validation prompt appears in your application.

Q: How will your queue position be determined?

A: No change. Your queue position is assigned when your Interconnection Application is deemed complete.



Xcel Energy[®]

Still have questions?

Xcel Energy is here to help

For Solar Installers and Developers:

- Visit the Renewable Developer Resources [webpages](#)
- DER_integrationMN@xcelenergy.com | DER Engineering
- MNElectricMeterScheduling@xcelenergy.com | Metering Shop
- SolarRewardsCommMN@xcelenergy.com | Solar*Rewards Community Program
- SolarProgramMN@xcelenergy.com | Solar*Rewards Program and Distributed Generation

Still have questions?

Xcel Energy is here to help

For Xcel Energy Customers:

- Questions about customer **electric service/account**: Call Customer Service - 1-800-895-4999
- Questions about customer **rates/electric bills/incentive payments**:
 - Residential customers: Contact the Energy Experts – 1-800-824-1688 // EE-Team@xcelenergy.com
 - Commercial customers: Call the Business Solutions Center – 1-800-481-4700 // BSC@xcelenergy.com
- Commercial & Industrial customers can work with their **Account Manager**
- [Contact Support | Customer Support | Xcel Energy](#)

CERTIFICATE OF SERVICE

I, Carmel Laney, hereby certify that I have this day served a true and correct copy of the following document(s) 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 Minneapolis, Minnesota.

CO-LOCATION DETERMINATION APPEAL WITH EXHIBITS A-D

SUBMITTED ON BEHALF OF SUNSHARE, LLC

In the Matter of Implementation of 2023
Legislation Changes to Xcel Energy’s
Community Solar Garden Program
MPUC Docket No. E-002/CI-23-335

In the Matter of the Petition of Xcel Energy
for Approval of its Proposed Community
Solar Garden Program
MPUC Docket No. E-002/M-13-867

Dated this 7th day of June, 2024.

/s/ Carmel Laney
Carmel Laney

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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_23-335_Official
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Jeffrey C	Paulson	jeff.jcplaw@comcast.net	Paulson Law Office, Ltd.	4445 W 77th Street Suite 224 Edina, MN 55435	Electronic Service	No	OFF_SL_23-335_Official
Morgan	Pitz	morgan.pitz@us-solar.com	US Solar	100 N 6th St #410B Minneapolis, MN 55403	Electronic Service	No	OFF_SL_23-335_Official
Kristel	Porter	kristel@mnrenewablenow.org	MN Renewable Now	N/A	Electronic Service	No	OFF_SL_23-335_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Paula	Prahl	paula.prahl@dominiuminc.com	Dominium	2905 Northwest Blvd Ste 150 Plymouth, MN 55441	Electronic Service	No	OFF_SL_23-335_Official
Kevin	Pranis	kpranis@liunagro.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, MN 55117	Electronic Service	No	OFF_SL_23-335_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_23-335_Official
Isabel	Ricker	ricker@fresh-energy.org	Fresh Energy	408 Saint Peter Street Suite 220 Saint Paul, MN 55102	Electronic Service	No	OFF_SL_23-335_Official
Jonathan	Roberts	jroberts@soltage.com	Soltage	66 York St 5th Floor Jersey City, NJ 07302	Electronic Service	No	OFF_SL_23-335_Official
Nathaniel	Runke	nrunke@local49.org	International Union of Operating Engineers Local 49	611 28th St. NW Rochester, MN 55901	Electronic Service	No	OFF_SL_23-335_Official
Delaney	Russell	delaney@mnipl.org	Just Solar Coalition	4407 E Lake Street Minneapolis, MN 55407	Electronic Service	No	OFF_SL_23-335_Official
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_23-335_Official
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-335_Official
David	Shaffer	david.shaffer@novelenergy.biz	Novel Energy Solutions	2303 Wycliff St Ste 300 St. Paul, MN 55114	Electronic Service	No	OFF_SL_23-335_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Russ	Stark	Russ.Stark@ci.stpaul.mn.us	City of St. Paul	Mayor's Office 15 W. Kellogg Blvd., Suite 390 Saint Paul, MN 55102	Electronic Service	No	OFF_SL_23-335_Official
Eric	Swanson	eswanson@winthrop.com	Winthrop & Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_23-335_Official
Whitney	Terrill	whitney@mnipl.org	Minnesota Interfaith Power & Light	N/A	Electronic Service	No	OFF_SL_23-335_Official
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Zack	Townsend	zachary.townsend@brookfielddrenewable.com	Brookfield Renewable	200 Liberty St FL 14 New York, NY 10281	Electronic Service	No	OFF_SL_23-335_Official
Pat	Treseler	pat.jcplaw@comcast.net	Paulson Law Office LTD	4445 W 77th Street Suite 224 Edina, MN 55435	Electronic Service	No	OFF_SL_23-335_Official
John	Vaughn	Nik@real.org	Rural Renewable Energy Alliance	3963 8th Street SW Backus, MN 55435	Electronic Service	No	OFF_SL_23-335_Official
Kevin	Walker	KWalker@beaconinterfaith.org	Beacon Interfaith Housing Collaborative	N/A	Electronic Service	No	OFF_SL_23-335_Official
Jenna	Warmuth	jwarmuth@mnpower.com	Minnesota Power	30 W Superior St Duluth, MN 55802-2093	Electronic Service	No	OFF_SL_23-335_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Daniel	Abelson	daniel.abelson@metc.state.mn.us	Metropolitan Council	390 Robert Street N. St. Paul, MN 55101	Electronic Service	No	OFF_SL_13-867_Official
Michael	Allen	michael.allen@allenergysolar.com	All Energy Solar	721 W 26th st Suite 211 Minneapolis, MN 55405	Electronic Service	No	OFF_SL_13-867_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Gabriel	Chan	gabechan@umn.edu	University of Minnesota	130 Hubert H. Humphrey Center 301 19th Ave S Minneapolis, MN 55455	Electronic Service	No	OFF_SL_13-867_Official
City	Clerk	gregg.engdahl@ci.stcloud.mn.us	City of St. Cloud	400 Second St. S St. Cloud, MN 56301	Electronic Service	No	OFF_SL_13-867_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_13-867_Official
Kevin	Cray	kevin@communitysolaraccess.org	CCSA	1644 Platte St Denver, CO 80202	Electronic Service	No	OFF_SL_13-867_Official
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Darin	Nelson	dnelson@minnetonkamn.gov	City of Minnetonka	14600 Minnetonka Blvd Minnetonka, MN 55345	Electronic Service	No	OFF_SL_13-867_Official
Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	OFF_SL_13-867_Official
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Dan	Patry	dpatry@sunedison.com	SunEdison	600 Clipper Drive Belmont, CA 94002	Electronic Service	No	OFF_SL_13-867_Official
Jeffrey C	Paulson	jeff.jcplaw@comcast.net	Paulson Law Office, Ltd.	4445 W 77th Street Suite 224 Edina, MN 55435	Electronic Service	No	OFF_SL_13-867_Official

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Morgan	Pitz	morgan.pitz@us-solar.com	US Solar	100 N 6th St #410B Minneapolis, MN 55403	Electronic Service	No	OFF_SL_13-867_Official
Kristel	Porter	kristel@mnrenewablenow.org	MN Renewable Now	N/A	Electronic Service	No	OFF_SL_13-867_Official
Paula	Prahl	paula.prahl@dominiuminc.com	Dominium	2905 Northwest Blvd Ste 150 Plymouth, MN 55441	Electronic Service	No	OFF_SL_13-867_Official
Bridget	Rathsack	bridget.rathsack@burnsvill emn.gov	City of Burnsville, MN	100 Civic Center Parkway Burnsville, MN 55337	Electronic Service	No	OFF_SL_13-867_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.stat e.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_13-867_Official
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Delaney	Russell	delaney@mnipl.org	Just Solar Coalition	4407 E Lake Street Minneapolis, MN 55407	Electronic Service	No	OFF_SL_13-867_Official
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David	Shaffer	david.shaffer@novelenergy.biz	Novel Energy Solutions	2303 Wycliff St Ste 300 St. Paul, MN 55114	Electronic Service	No	OFF_SL_13-867_Official
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Whitney	Terrill	whitney@mnipl.org	Minnesota Interfaith Power & Light	N/A	Electronic Service	No	OFF_SL_13-867_Official

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Zack	Townsend	zachary.townsend@brookfi eldrenewable.com	Brookfield Renewable	200 Liberty St FL 14 New York, NY 10281	Electronic Service	No	OFF_SL_13-867_Official
Pat	Treseler	pat.jcplaw@comcast.net	Paulson Law Office LTD	4445 W 77th Street Suite 224 Edina, MN 55435	Electronic Service	No	OFF_SL_13-867_Official
Gary	Van Winkle	gvanwinkle@mylegalaid.or g	Mid-Minnesota Legal Aid	111 N Fifth St Ste 100 Minneapolis, MN 55403	Electronic Service	No	OFF_SL_13-867_Official
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Kevin	Walker	KWalker@beaconinterfaith. org	Beacon Interfaith Housing Collaborative	N/A	Electronic Service	No	OFF_SL_13-867_Official
Jenna	Warmuth	jwarmuth@mnpower.com	Minnesota Power	30 W Superior St Duluth, MN 55802-2093	Electronic Service	No	OFF_SL_13-867_Official
Jessica	Welk	jwelk@sherman- associates.com	Sherman Associates	233 Park Avenue South Suite 201 Minneapolis, MN 55415	Electronic Service	No	OFF_SL_13-867_Official
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