

The Commission met on **Thursday, April 1, 2021**, with Chair Sieben and Commissioners Schuerger, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

**IP-7003/CN-19-223**

**In the Matter of the Application of Regal Solar, LLC for a Certificate of Need for the up to 100 MW Regal Solar Project in Benton County, Minnesota**

**IP-7003/GS-19-395**

**In the Matter of the Application of Regal Solar, LLC for a Site Permit for the up to 100 MW Regal Solar Project in Benton County, Minnesota**

Commissioner Schuerger moved that the Commission take the following actions:

1. Determine that the environmental assessment and the record created in this matter address the issues identified in the scoping decision.
2. Grant a certificate of need for the up to 100-megawatt Regal Solar Project proposed in Benton County, finding that:
  - a. The factors set forth in Minn. R. 7849.0120(A) have been met, and denying the application would likely have an adverse effect upon the future adequacy, reliability, or efficiency of energy supply to the applicant, to the applicant's customers, or to the people of Minnesota and neighboring states;
  - b. The factors set forth in Minn. R. 7849.0120(B) have been met, and a more reasonable and prudent alternative to the project has not been demonstrated by a preponderance of the evidence in the record;
  - c. The factors set forth in Minn. R. 7849.0120(C) have been met, and the preponderance of the evidence in the record demonstrates that the project will provide benefits to society in a manner compatible with protecting the natural and socioeconomic environments, including human health; and
  - d. The factors set forth in Minn. R. 7849.0120(D) have been met, and the record does not demonstrate that the design, construction, or operation of the proposed facility, or a suitable modification of the proposed facility, will fail to comply with relevant policies, rules, and regulations of other state and federal agencies and local governments.

- e. These findings were made in part based on the commitment of Regal Solar, LLC, to provide annual contributions of \$20,000 for each of the first 20 years of the project for the educational benefit of the Royalton and Sauk Rapids-Rice school districts. In order to confirm compliance with this certificate of need condition, Regal Solar and its successors and assigns shall, within 14 days following the pre-operation meeting, make an initial filing documenting its preparedness to fulfill this commitment, its plan for the contributions, and communication from the Royalton and Sauk Rapids-Rice school districts confirming the arrangement. Annually thereafter, Regal Solar and its successors and assigns shall document the contributions in accordance with the plan and any changes by February 1 with the annual Project Energy Production Report.
3. Approve and adopt the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommendation (ALJ Report) to the extent it is consistent with and necessary for the Commission's final decisions.
4. Issue the proposed site permit attached to the staff briefing papers as the site permit for the 100-megawatt Regal Solar Project proposed in Benton County.
5. Delegate to the Executive Secretary to modify as needed the ALJ Report and/or the proposed site permit to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final decision and order in this matter.
6. Require Regal Solar, every three months or upon a significant change in the interconnection standing, to notify the Commission and the Department of Commerce's Environmental Energy Review and Analysis unit of the progress toward construction.

The motion passed 4–0.

**E-015/M-20-814**

**In the Matter of Minnesota Power's Petition for Approval to Track and Defer Lost Large Industrial Customer Sales Resulting from the COVID-19 Pandemic**

Chair Sieben moved that the Commission deny Minnesota Power's Petition for Approval to Track and Defer Lost Large Industrial Customer Sales Resulting from the COVID-19 Pandemic.

The motion passed 4–0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: May 26, 2021**

A handwritten signature in black ink, appearing to read "Will Seuffert", written over a horizontal line.

**Will Seuffert, Executive Secretary**