



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

LORI SWANSON
ATTORNEY GENERAL

May 18, 2015

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445 MINNESOTA STREET
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TELEPHONE: (651) 296-7575

Mr. Daniel Wolf, Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 7th Place East
St. Paul, MN 55101-2147

Re: *The Commission's May 1, 2015 Request for Comments on Xcel's CSG Program*
Docket No. E-002/M-13-867

Dear Mr. Wolf:

The Office of Attorney General – Residential Utilities and Antitrust Division (“OAG”) submits this letter to the Commission’s request for comments on “all issues that require Commission action, including but not limited to changes to Commission Orders or Commission-approved tariffs,” in its Notice of Comment Period issued on May 1, 2015. The OAG’s April 30, 2015 comments are already largely responsive of the Commission’s request. In those comments, the OAG discussed several modifications to the CSG program that have been suggested by other parties—including changes to the bill credit rate and limits on co-locating gardens—to address the inequities of the program and the possible failure of the program to achieve its intended goals. The comments, however, were written with consideration given to the existing framework of the CSG program as set forth in the applicable statutes and past Commission orders. For instance, while the comments explained that adopting a variable rate for CSG bill credits could remedy some of the programs’ shortcomings, they noted that a variable rate was not consistent with how the Commission previously defined the Applicable Retail Rate. If the Commission intends to revisit its previous orders, these limitations may no longer apply.

The Commission should establish a process to develop a variable rate for the CSG program, and to couple the variable rate with a required minimum and maximum level of CSG integration for Xcel. The OAG has previously explained the merits of this model, which would allow the CSG program to achieve its intended goals while minimizing any negative effects on non-participants. The OAG also listed a variety of parameters that could be used to develop a variable rate.¹ Depending on the Commission’s specific goals, the method used to establish the variable rate may be simple or complex.

Despite the many benefits of a variable rate, establishing such a structure for CSG bill credits may be a time and resource intensive undertaking. For this reason, during the process of establishing the variable rate structure, the Commission should set a maximum level of annual

¹ See OAG’s April 30, 2015 comments at 22.

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harm that it will permit from the CSG program.² The system should operate to prevent any material harm to non-participants.

Finally, the Commission should consider the CSG program holistically as it considers making changes to the program, since a change to one aspect of the program will have an impact on other aspects. For instance, as the OAG explained in its previous comments, the rate necessary to spur CSG developments is directly tied to the expected costs for developers—if the costs to developers can be reduced, then the bill credit rate can also be reduced to produce lower costs for non-participants while still maintaining an economically viable facility. Different parties, however, have made a variety of recommendations that would impact the cost to developers and the bill credit rate for subscribers. If considered in isolation, these recommendations may cause further problems to achieving the goals of the CSG program and minimizing the negative impacts on non-participants. Incorporation of a variable rate would seek to balance these competing factors, while making the program as effective as possible.

Sincerely,

s/ Ian Dobson

IAN DOBSON
Assistant Attorney General

(651) 757-1432 (Voice)
(651) 296-9663 (Fax)

² As stated in the OAG's April 30, 2015 comments at 23, "harm" could be defined at the point when the developer receives a final notice to proceed, and bill impacts could be calculated as in the DOC's February 24, 2015 Comments, among other ways.



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May 18, 2015

Mr. Daniel Wolf, Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 7th Place East
St. Paul, MN 55101-2147

RE: *In the Matter of the Petition of Northern States Power Company for Approval of its Proposed Community Solar Gardens Program*
Docket No. E002/M-13-867

Dear Mr. Wolf:

Enclosed and e-filed in the above-referenced matter please find *Comments of the Office of the Attorney General - Residential Utilities and Antitrust Division*.

By copy of this letter all parties have been served. An Affidavit of Service is also enclosed.

Sincerely,

s/ Ian Dobson

IAN DOBSON
Assistant Attorney General

(651) 757-1432 (Voice)
(651) 296-9663 (Fax)

RE: *In the Matter of the Petition of Northern States Power Company for Approval of its Proposed Community Solar Gardens Program*
Docket No. E002/M-13-867

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

I hereby state that on the 18th day of May, 2015, I efiled with eDockets *Comments of the Office of the Attorney General - Residential Utilities and Antitrust Division* and served the same upon all parties, as indicated on the attached Service List via electronic submission and/or United States Mail with postage prepaid, and deposited the same in a U.S. Post Office mail receptacle in the City of St. Paul, Minnesota.

See Attached Service List.

s/ Judy Sigal
Judy Sigal

Subscribed and sworn to before me
this 18th day of May, 2015.

s/ Patricia Jotblad
Notary Public

My Commission expires: January 31, 2020.

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Ross	Abbey	abbey@fresh-energy.org	Fresh Energy	408 Saint Peter St Ste 220 St. Paul, MN 55102-1125	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Ross	Abbey	ross@mysunshare.com	SunShare, LLC	609 S. 10th Street Suite 210 Minneapolis, MN 55404	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael	Allen	michael.allen@allenergysolar.com	All Energy Solar	721 W 26th st Suite 211 Minneapolis, Minnesota 55405	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Sara	Baldwin Auck	sarab@irecusa.org	Interstate Renewable Energy Council, Inc.	774 E 3rd Ave Salt Lake City, UT 84103	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Kenneth	Bradley	kbradley1965@gmail.com		2837 Emerson Ave S Apt CW112 Minneapolis, MN 55408	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael J.	Bull	mbull@mncee.org	Center for Energy and Environment	212 Third Ave N Ste 560 Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jessica	Burdette	jessica.burdette@state.mn.us	Department of Commerce	85 7th Place East Suite 500 St. Paul, MN 55101	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Joel	Cannon	jcannon@tenksolar.com	Tenk Solar, Inc.	9549 Penn Avenue S Bloomington, MN 55431	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
John J.	Carroll	jcarroll@newportpartners.com	Newport Partners, LLC	9 Cushing, Suite 200 Irvine, California 92618	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Arthur	Crowell	Crowell.arthur@yahoo.com	A Work of Art Landscapes	234 Jackson Ave N Hopkins, MN 55343	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Dustin	Denison	dustin@appliedenergyinnovations.org	Applied Energy Innovations	4000 Minnehaha Ave S Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
James	Denniston	james.r.denniston@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, Fifth Floor Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Ian	Dobson	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Antitrust and Utilities Division 445 Minnesota Street, BRM Tower St. Paul, MN 55101	Electronic Service	Yes	SPL_SL_13- 867_Community Solar Garden - Xcel
Bill	Droessler	bdroessler@wla.org	Izaak Walton League of America-MWO	1619 Dayton Ave Ste 202 Saint Paul, MN 55104	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Betsy	Engelking	betsy@geronimoenergy.com	Geronimo Energy	7650 Edinborough Way Suite 725 Edina, MN 55435	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
John	Farrell	jfarrell@ilsr.org	Institute for Local Self- Reliance	1313 5th St SE #303 Minneapolis, MN 55414	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 55102198	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Nathan	Franzen	nathan@geronimoenergy.com	Geronimo Energy	7650 Edinborough Way Suite 725 Edina, MN 55435	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Hal	Galvin	halgalvin@comcast.net	Provectus Energy Development Ilc	1936 Kenwood Parkway Minneapolis, MN 55405	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Timothy	Gulden	info@winonarenewableenergy.com	Winona Renewable Energy, LLC	1449 Ridgewood Dr Winona, MN 55987	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Duane	Hebert	N/A	Novel Energy Solutions	1628 2nd Ave SE Rochester, MN 55904	Paper Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Lynn	Hinkle	lhinkle@mnseia.org	Minnesota Solar Energy Industries Association	2512 33rd Ave South #2 Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jim	Horan	Jim@MREA.org	Minnesota Rural Electric Association	11640 73rd Ave N Maple Grove, MN 55369	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jan	Hubbard	jan.hubbard@comcast.net		7730 Mississippi Lane Brooklyn Park, MN 55444	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
John S.	Jaffray	jjaffray@jpower.com	JJR Power	350 Highway 7 Suite 236 Excelsior, MN 55331	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Eric	Jensen	ejensen@iwla.org	Izaak Walton League of America	Suite 202 1619 Dayton Avenue St. Paul, MN 55104	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Michael	Kampmeyer	mkampmeyer@a-e-group.com	AEG Group, LLC	260 Salem Church Road Sunfish Lake, Minnesota 55118	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Madeleine	Klein	mklein@socoreenergy.com	SoCore Energy	225 W Hubbard Street Suite 200 Chicago, IL 60654	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Brad	Klein	bklein@elpc.org	Environmental Law & Policy Center	35 E. Wacker Drive, Suite 1600 Chicago, IL 60601	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
John	Kluempke	jwkluempke@winlectric.com	Elk River Winlectric	12777 Meadowvale Rd Elk River, MN 55330	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Jon	Kramer	jk2surf@aol.com	Sundial Solar	4708 york ave. S Minneapolis, MN 55410	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Michael	Krause	michaelkrause61@yahoo.com	Kandiyo Consulting, LLC	433 S 7th Street Suite 2025 Minneapolis, Minnesota 55415	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Dean	Leischow	dean@sunriseenergyventures.com	Sunrise Energy Ventures	601 Carlson Parkway, Suite 1050 Minneapolis, MN 55305	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Rebecca	Lundberg	rebecca.lundberg@powerfullygreen.com	Powerfully Green	11451 Oregon Ave N Champlin, MN 55316	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Casey	MacCallum	casey@appliedenergyinnovations.org	Applied Energy Innovations	4000 Minnehaha Ave S Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Erica	McConnell	emcconnell@kfwlaw.com	Keyes, Fox & Wiedman LLP	436 14th Street, Suite 1305 Oakland, California 94612	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel
Thomas	Melone	Thomas.Melone@AllcoUS.com	Minnesota Go Solar LLC	222 South 9th Street Suite 1600 Minneapolis, Minnesota 55120	Electronic Service	No	SPL_SL_13-867_Community Solar Garden - Xcel

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Andrew	Moratzka	apmoratzka@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Martin	Morud	mmorud@trunorthsolar.com	Tru North Solar	5115 45th Ave S Minneapolis, MN 55417	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jeff	O'Neill	jeff.oneill@ci.monticello.mn.us	City of Monticello	505 Walnut Street Suite 1 Monticello, Minnesota 55362	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jeffrey C	Paulson	jeff.jcplaw@comcast.net	Paulson Law Office, Ltd.	7301 Ohms Ln Ste 325 Edina, MN 55439	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Donna	Pickard	dpickard@aladdinsolar.com	Aladdin Solar	1215 Lilac Lane Excelsior, MN 55331	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Gayle	Prest	gayle.prest@minneapolis.gov	City of Mpls Sustainability	350 South 5th St, #315 Minneapolis, MN 55415	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Regulatory	Records	Regulatory.Records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Dan	Rogers	drogers@sunedison.com	SunEdison	N/A	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Matthew J.	Schuenger P.E.	mjsreg@earthlink.net	Energy Systems Consulting Services, LLC	PO Box 16129 St. Paul, MN 55116	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Doug	Shoemaker	dougs@mnRenewables.org	MRES	2928 6th Ave S Minneapolis, MN 55408	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Thomas P.	Sweeney III	tom.sweeney@easycleanenergy.com	Clean Energy Collective	P O Box 1828 Boulder, CO 80306-1828	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Pat	Treseler	pat.jplaw@comcast.net	Paulson Law Office LTD	Suite 325 7301 Ohms Lane Edina, MN 55439	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Jason	Willett	jason.willett@metc.state.mn.us	Metropolitan Council	390 Robert St N Saint Paul, MN 55101-1805	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel
Daniel	Williams	DanWilliams.mg@gmail.com	Powerfully Green	11451 Oregon Avenue N Champlin, MN 55316	Electronic Service	No	SPL_SL_13- 867_Community Solar Garden - Xcel