

STATE OF MINNESOTA  
COUNTY OF RENVILLE

DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT

Court File Number: \_\_\_\_\_  
Case Type: CIVIL

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*Larry Rauenhorst,*

*Plaintiff,*

v.

**COMPLAINT**

*The Renville Sibley Cooperative Power  
Association, its Directors Alan Hinderman,  
Alan Neyers, Vicky Firle, Jeffrey Boersma,  
Helen Ruebel, Wayland Zaske, Gary Eekhoff,  
Roger Manthei, and Gary Peterson, and  
DeeAnne Norris,*

*Defendants*

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Larry Rauenhorst (“Plaintiff” or “Cooperative Member”) respectfully files this Complaint against The Renville Sibley Cooperative Power Association (“Defendant” or “Cooperative”), its Board of Directors, which include Directors Alan Hinderman, Alan Neyers, Vicky Firle, Jeffrey Boersma, Helen Ruebel, Wayland Zaske, Gary Eekhoff, Roger Manthei, and Gary Peterson, (“Director Defendants” or “Directors”), and DeeAnne Norris, in the Minnesota District Court for Renville County (“Court”) pursuant to Minn. Stat. § 484.01, subd. 1, and Minn. Stat. § 555.01.

Minnesota law is clear that it is the law and policy of the State of Minnesota to encourage all Minnesotans to be small power producers. This is done, in part, by requiring all utilities to compensate small power producers with renewable energy systems that are small, less than 40 kilowatts (“kW’s”), at the same rate that the utility is charging the neighbors of the small power producers for the energy that the small power producer is supplying to the distribution system that

supplies their neighbors with energy.

This dispute arises from the Cooperative's intentional violation of Minnesota law by refusing to compensate the Cooperative Member for the net energy his small solar energy generating system, called a Qualifying Facility ("QF") under Minnesota law,<sup>1</sup> at the Cooperative's average retail utility energy rate ("average rate"), which is the rate the Cooperative charges cooperative members for the energy that is provided to them. As noted above, Minnesota law requires every utility, which includes cooperative electric associations, to pay the average rate if the QF is smaller than 40 kW. Cooperative Member's QF is indisputably less than 40 kW. Minnesota law does not provide any cooperative electric association with any exception or justification for not complying with the law.

Despite the clear requirements of the law, the Cooperative and its Board of Directors have refused to allow its Cooperative Member to interconnect his QF and receive the average rate for all the energy he exports to the Cooperative's electric system. The Cooperative's own website, contract and interconnection rules also clearly state that its members are entitled to receive the average retail utility energy rate for all the energy they export to the Cooperative's electric system if the member's solar energy generating system is smaller than 40 kW. Thus, the Cooperative and its Board of Directors have intentionally acted illegally, fraudulently, and in a matter unfairly prejudicial to Cooperative Member by arbitrarily, vexatiously and/or not in good faith violating Cooperative Member's rights under Minnesota law and the contract the Cooperative has with him.

Accordingly, Cooperative Member requests that the Court issue an order directing the Cooperative to: (1) Interconnect Cooperative Member's QF pursuant to Minn. Stat. § 216B.164, subd. 4; (2) Pay the Cooperative Member the average retail utility energy rate pursuant to Minn. Stat. § 216B.164, subd. 3(a) & (d) for the energy Cooperative Member exports to Cooperative's

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<sup>1</sup> See Minn. R. 7835.0100, subp. 19.

electric system; (3) Award Cooperative Members the compensation that Cooperative Member should have received since January 1, 2025, for the energy his QF would have exported, which, as of December 1, 2025, would be approximately \$9,000; and, (4) Pay Cooperative Member's costs, disbursements, and reasonable attorney fees pursuant to Minn. Stat. § 308A.941, subd. 5.

**I.  
JURISDICTION AND VENUE**

The Court has jurisdiction to hear this matter, make findings of fact, and order all appropriate relief under, *inter alia*, Minn. Stat. § 484.01, subd. 1, and Minn. Stat. § 555.01. Venue in this county is required under Minn. Stat. § 308A.941, subd. 5.

**II.  
FACTUAL ALLEGATIONS**

1. Cooperative Member is a member of the Cooperative.
2. Cooperative Member has installed a QF on his property.
3. The capacity of Cooperative Member's QF is less than 40 kW.
4. Cooperative is a cooperative electric association under Minn. Stat. § 216B.164.
5. Cooperative is a cooperative electric association under Minn. R. Chapter 7835.
6. Cooperative is a cooperative under Minn. Stat. Chapter 308A
7. Alan Hinderman is a Director of Cooperative.
8. Alan Neyers is a Director of Cooperative.
9. Vicky Firlé is a Director of Cooperative.
10. Jeffrey Boersma is a Director of Cooperative.
11. Helen Ruebel is a Director of Cooperative.
12. Wayland Zaske is a Director of Cooperative.
13. Gary Eekhoff is a Director of Cooperative.

14. Roger Manthei is a Director of Cooperative.
15. Gary Peterson is a Director of Cooperative.
16. DeeAnne Norris is the CEO of Cooperative.
17. As CEO, Norris is in control of Cooperative under Minn. Stat. § 308A.941.
18. Cooperative Member submitted an application to interconnect his QF to Cooperative's electric distribution system.
19. Cooperative approved Cooperative Member's interconnection application.
20. After Cooperative approved Cooperative Member's application, it sent Cooperative Member a Uniform Contract for Cogeneration and Small Power Production Facilities ("Contract").
21. The Contract allowed Cooperative Member to elect to be compensated at the average rate for all energy exported to Cooperatives' electric distribution system.
22. The Cooperative's policies require the Cooperative to compensate its members for the energy they export to the Cooperative's electric system at the average retail utility energy rate if the Cooperative Member's QF is less than 40 kW.
23. Cooperative's website states:

Minnesota is one of many states that encourage small renewable energy systems to be installed at residences and businesses. According to Minnesota Statute 216B.164, all utilities shall buy back any excess energy that reaches the distribution grid produced by a qualifying facility having less than 40 kW capacity at the average retail energy rate for the applicable rate schedule. This means for any wind or solar system with a total capacity size of less than 40 kW and installed at an existing Renville-Sibley Cooperative Power (RSCPA) service location, RSCPA will buy the excess energy produced by the renewable system at an average retail energy rate.

For renewable systems at a capacity of 40 kW or larger, RSCPA will still buy back the excess power produced by the renewable system that reaches the grid. However, the amount that the power is bought back is at avoided cost.
24. Cooperative is aware of the legal requirement under Minnesota law to compensate its members at the average rate for all energy exported from their QF if it is under 40 kW.

25. Cooperative Member executed the Contract electing to be compensated at the Cooperative's average rate.

26. Cooperative subsequently informed Cooperative Member that he could not receive the average rate.

27. Cooperative did not provide any legal justification for its refusal to compensate Cooperative Member at the Cooperative's average rate.

28. Cooperative's refusal to compensate Cooperative Member at the Cooperative's average rate was illegal, fraudulent and unfairly prejudicial to Cooperative Member.

29. Cooperative's refusal to compensate Cooperative Member at the average rate was arbitrary, vexatious, or otherwise not in good faith.

30. Cooperative Member appealed Cooperative's decision to the Cooperative's Board of Directors and the Directors also refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

31. Director Alan Hinderman refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

32. Director Alan Neyers refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

33. Director Vicky Firlle refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

34. Director Jeffrey Boersma refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

35. Director Helen Ruebel refused to compensate Cooperative Member at the

Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

36. Director Wayland Zaske refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

37. Director Gary Eekhoff refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

38. Director Roger Manthei refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

39. Director Gary Peterson refused to compensate Cooperative Member at the Cooperative's average rate for the energy Cooperative Member would provide to Cooperative.

40. Cooperative is aware of the legal requirement under Minnesota law to compensate its cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

41. Director Alan Hinderman is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

42. Director Alan Neyers is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

43. Director Vicky Firlle is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

44. Director Jeffrey Boersma is aware of the legal requirement under Minnesota law to

compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

45. Director Helen Ruebel is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

46. Director Wayland Zaske is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

47. Director Gary Eekhoff is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

48. Director Roger Manthei is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

49. Director Gary Peterson is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

50. CEO DeeAnne Norris is aware of the legal requirement under Minnesota law to compensate cooperative members at the average rate for all energy exported from the cooperative member's QF if it is under 40 kW.

51. Directors refusal to compensate Cooperative Member at the Cooperative's average rate was illegal, fraudulent and unfairly prejudicial to Cooperative Member.

52. Directors refusal to compensate Cooperative Member at the average rate was

knowing, intentional, arbitrary, vexatious, or otherwise not in good faith, breaching his or her loyalty to the Cooperative, its members, and Cooperative Member.

53. Pursuant to Minn. Stat. § 308A.325, a cooperative may not eliminate or limit the liability of a director for, among other things, a breach of the director's duty of loyalty to the cooperative or its members, and acts or omissions that are not in good faith or involve intentional misconduct or a knowing violation of law.

54. Cooperative Member has been harmed in the amount of at least \$9,000 for the compensation he should have received had Cooperative agreed to compensate him at the average rate when he originally requested Cooperative to do so, and continues to suffer harm each day his QF is not interconnected and he is compensated at the average rate for all the energy his QF exports to Cooperative's electric distribution system.

### **III. COMPLAINT**

55. Refusing to compensate Cooperative Member at the average rate for energy provided to Cooperative by Cooperative Member's QF is a violation of Minn. Stat. § 216B.164.

56. Refusing to compensate Cooperative Member at the average rate for energy provided to Cooperative by Cooperative Member's QF is a violation of Minn. R. 7835.3300, subp. 1.

57. Refusing to compensate Cooperative Member at the average rate for energy provided to Cooperative by Cooperative Member's QF is a violation of Cooperative Members Contract with Cooperative.

58. Refusing to compensate Cooperative Member at the average rate for energy provided to Cooperative by Cooperative Member's QF is a violation of Cooperative's policies.

59. Refusing to compensate Cooperative Member at the average rate for energy

provided to Cooperative by Cooperative Member's QF entitles Cooperative Member to relief under Minn. Stat. § 308A.941, subd. 1.

60. Cooperative Member is entitled to his reasonable expenses for bringing this complaint, which include, his attorneys' fees and disbursements under Minn. Stat. 308A.941, subd. 4.

61. Cooperative Member is entitled to a determination by this Court under Minn. Stat. § 555.01 that Cooperative is required under Minn. Stat. § 216B.164 to allow Cooperative Member's QF to be interconnected to Cooperative's electric distribution system and compensate Cooperative Member at the average rate for all energy exported to Cooperative's electric distribution system by the QF.

62. Cooperative Member is entitled to a determination by this Court under Minn. Stat. § 555.01 that Cooperative is required under its contract with Cooperative Member to allow Cooperative Member's QF to be interconnected to Cooperative's electric distribution system and compensate Cooperative Member at the average rate for all energy exported to Cooperative's electric distribution system by the QF.

63. Cooperative Member is entitled to compensation from the date his QF should have been interconnected and exporting energy to Cooperative's electric distribution system.

#### **IV. REQUEST FOR RELIEF**

Accordingly, Cooperative Member requests that the Court issue an order directing the Cooperative to: (1) Interconnect Cooperative Member's QF pursuant to Minn. Stat. § 216B.164, subd. 4; (2) Pay the Cooperative Member the average rate pursuant to Minn. Stat. § 216B.164, subd. 3(a) & (d) for the energy Cooperative Member exports to Cooperative's electric system; (3) Award Cooperative Member compensation for the energy that should have been exported since January 1,

2025, which, as of December 1, 2025, is approximately \$9,000; and, (4) pay Cooperative Member's costs, disbursements, and reasonable attorney fees pursuant to Minn. Stat. § 308A.941, subd. 5.

Respectfully Submitted,

Dated: December 04, 2025

/s/ Curtis P. Zaun

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