

The Commission met on **Thursday, March 9, 2023**, with Chair Sieben and Commissioners Schuerger, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

**E-002/M-22-489**

**In the Matter of the Petition of Northern States Power Company for Approval to Sell 348 Acres of Land at Sherco**

Chair Sieben moved that the Commission:

1. According to the terms and conditions stated in the Option Agreement, approve the sale of 348 acres located at the Sherburne County Generating Station to Elk River Technologies, LLC.
2. Approve Xcel's proposed accounting treatment of the sales revenue so the gains can be passed on to customers as a one-time bill credit.
3. Grant a variance to Minn. R. 7825.1800, subpart B as it relates to the information required under Minn. R. 7825.1400, subparts F through J.
4. If Elk River Technologies, LLC exercises its option and the sales closes, require Xcel to file, within 60 days of completion of the sale, the final journal entries that recorded these transactions.
5. If Elk River Technologies, LLC exercises its option and the sales closes then, within 60 days of the net gains being refunded, require Xcel to make a compliance filing detailing how and when the refund was completed.
6. Delegate authority to the Executive Secretary to approve compliance filings in this proceeding.

The motion passed 4-0.

**E-015/M-22-547**

**In the Matter of Minnesota Power's Petition for Approval to Recover Reagent Costs through the Fuel and Purchased Energy Rider**

This item was pulled from the agenda.

**IP-7041/GS-20-763**

**IP-7041/CN-20-764**

**IP-7041/TL-20-765**

**In the Matter of the Application of Byron Solar, LLC for a Certificate of Need, Site Permit, and Route Permit for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Dodge and Olmsted Counties, Minnesota**

Commissioner Tuma moved that the Commission:

1. Adopt the ALJ Report to the extent it is consistent with the Commission's decisions in this proceeding.
2. Adopt the following modifications to the attached site permit recommended by the Permittee in their February 28, 2023 filing and agreed to by DOC EERA as follows:
  - a. Change in Ownership Notification Requirements at Section 2.2;
  - b. Security Fencing at Section 4.3.31 without including the proposed change of adding the special permit condition 5.9;
  - c. Visual Screening Plan at Sections 5.5;
  - d. Site Plan at Section 8.3 with the addition that within 25 days after the pre-construction meeting, DOC shall submit its recommendations to the Commission as to whether the documents and the planned construction are consistent with the permit.
3. Find that the Environmental Assessment and the record created at the public hearing address the issues identified in the Scoping Decision.
4. Grant a Certificate of Need to Byron Solar, LLC for the Byron Solar Project in Dodge and Olmsted counties, Minnesota.
5. Issue the attached site permit for the up to 200 MW Byron Solar Project, with modifications reflecting the Commission's decisions in this proceeding.
6. Issue the attached route permit that identifies the Blue Route proposed by the applicant for its Byron Solar Project transmission line that includes specific requirements and conditions.

7. Authorize Commission staff to modify the findings of fact, conclusions of law, and the proposed Site and Route Permits to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final order in this matter.

The motion passed 4-0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: May 3, 2023**

A handwritten signature in black ink, appearing to read "Will Seuffert", with a long horizontal flourish extending to the right.

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**Will Seuffert, Executive Secretary**