

The Commission met on **Thursday, May 5, 2022**, with Acting Chair Sullivan and Commissioners Sieben, Schuerger, and Tuma present.

The following matters were taken up by the Commission:

E-002,257/SA-22-129

In the Matter of the Joint Petition for Approval of Two Compensation and Orderly Transfer Agreements Between Northern States Power Company d/b/a Xcel Energy, and the City of Kasson

Commissioner Tuma moved that the Commission do the following:

1. Approve the permanent service territory transfers from Northern States Power Company d/b/a Xcel Energy to the City of Kasson.
2. Request that the Minnesota Geospatial Information Office update the Commission's maps to reflect the service area designations as shown on the map in the petition.

The motion passed 4–0.

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, and a Joint Application for a Site Permit and a Route Permit

Commissioner Tuma moved that the Commission take no action on this matter.

The motion passed 4–0.

E-002/M-21-695

In the Matter of Xcel Energy's Tariff Revisions Updating Community Solar Garden Tariff Providing Additional Customer Protections in Subscription Eligibility

E-002/M-13-867

In the Matter of the Petition of Northern States Power Company, d/b/a Xcel Energy, for Approval of its Proposed Community Solar Garden Program

Acting Chair Sullivan moved that the Commission do the following:

1. Deny requests to modify Xcel Energy's tariff sheets 9-66.1 and 9-76.
2. Deny requests to modify Xcel Energy's tariff sheet 9-74.
3. Authorize the Executive Secretary to notify the Consumer Protection Division of the Office of the Attorney General (OAG) of the issues associated with tenant eligibility for Xcel Energy's low income assistance program presented in this docket. Require Xcel Energy to work with Energy Cents Coalition to provide notice to affected tenants that they may contact the Consumer Division of the AGO for information and possible assistance.
4. Further develop the record in Docket No. E-002/M-13-867, *In the Matter of the Petition of Northern States Power Company, d/b/a Xcel Energy, for Approval of its Proposed Community Solar Garden Program*, to determine if the residential adder for Community Solar Garden subscriptions in large apartment buildings where the subscription is in the name of a party other than the tenant should be discontinued.
5. Require Xcel Energy to convene a stakeholder process within 60 days to further discuss the issues in the docket, with tariff filing within 120 days. A non-exhaustive list of the issues includes the following:
 - a. Transparency about community solar offerings serving their unit under third-party billing systems.
 - b. Tenant rights, including right to claim control over the utility account, under third-party billing systems.
 - c. Low-income tenant access to utility energy assistance programs like PowerOn even when using a third-party billing system.
 - d. Properties that are not creating negative net impacts to tenants by their control of utility billing should be allowed to subscribe to community solar.
 - e. Any penalties to community solar developers that may be designed should be based on developer-caused violations or known omissions, and commensurate with the timeframe of the violation/known omission.

6. Require Xcel Energy to propose a modification to its tariffs for PowerOn, Medical Affordability Program, Gas Affordability Program, and Low-Income Discount to allow low-income renters who are subject to third-party billing to access these programs
7. Before Xcel Energy transfers any utility account from a tenant who is enrolled in its low-income affordability programs (PowerOn, Medical Affordability Program, Gas Affordability Program, and Low-Income Discount) to the building owner as part of a Community Solar Program, the utility must take reasonable steps with the building owner to facilitate continued receipt of low-income affordability programs for qualified tenants.

The motion passed 4–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: January 18, 2023

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

Will Seuffert, Executive Secretary