



**ENVIRONMENTAL LAW & POLICY CENTER**  
Protecting the Midwest's Environment and Natural Heritage

November 23, 2020

Will Seuffert  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

**RE: Objections to Six-Month Extension of the Joint Commenters**

**Docket No. CI-16-521/M-01-1023**

Dear Mr. Seuffert,

Please find enclosed the *Objections to Six-Month Extension of the Environmental Law & Policy Center and Minnesota Solar Energy Industries Association*. These documents have been electronically filed and served through the eFiling system and by First Class USPS Mail to those who have requested paper service.

Please feel free to contact me with any questions you may have regarding this filing.

Respectfully submitted,

/s/ Jeffrey Hammons

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PUBLIC UTILITIES COMMISSION**

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**In the Matter of Updating the Generic Standards for the Interconnection and Operation of Distributed Generation Facilities Established under Minn. Stat. §216B.1611**

**Docket No. CI-16-521/M-01-1023**

**OPPOSITION TO SIX-MONTH EXTENSION**

**November 23, 2020**

**OPPOSITION TO SIX-MONTH EXTENSION**

On November 13, 2020, the Public Utilities Commission (“Commission”) solicited objections to the request by the Department of Commerce (“Department”) to extend the comment period by six months regarding updates to Attachment 6.

Environmental Law & Policy Center and Minnesota Solar Energy Industries Association (collectively “Joint Commenters”) respectfully oppose the six-month extension request because the public interest weights in favor of not further delaying a proceeding to update Attachment 6 that has already lasted longer than originally anticipated by the Commission.

Joint Commenters’ request to reopen and update Attachment 6 was filed on March 27, 2018—over 31 months prior to the current reply comment deadline of November 30, 2020. In its March 19, 2019 order in this docket, the Commission anticipated that the process to develop the record necessary to update Attachment 6 would be complete within 18 months of the date of that order. *In the Matter of Establishing Generic Standards for Utility Tariffs for Interconnection and Operation of Distributed Generation Facilities Under Minn. Laws 2001, Ch. 212*, Docket No.

01-1023, Order Authorizing Further Proceedings at 6 (Mar. 19, 2019). 20 months have now passed since that order.

The Department's request for a six-month extension conflicts with the intent of the Commission's March 19, 2019 order and would cause the comment period to last longer than three years since Joint Commenters' originally petitioned the Commission to update Attachment 6 in 2018. The proposed reply comment deadline of May 30, 2020 is over 38 months since Joint Commenters' petition to reopen Attachment 6 and over 26 months since the Commission's order granting Joint Commenters' petition in March 2019. Regulatory proceedings take time, but the adding another six months to the already significant amount of time that has passed since the Commission granted Joint Commenters' petition to Attachment 6 is unreasonable.

Minn. R. 7829.1275 authorizes the Commission to vary time periods on its own motion "or at the request of a person for good cause shown." Minn. R. 7829.1275. The Department's request for a six-month delay failed to show good cause. The Department's request for an extension did not state whether its "workload considerations" prevented it from participation in this docket. It is also not clear why the Department waited to make its request for a six-month extension as part of its initial comments rather than making the request before the comment period began. Regardless, all parties must manage workload considerations and that reason is not enough, by itself, to justify delaying this proceeding any further in light of the significant amount of time that has already passed since the Commission's March 2019 order.

The Commission's notice soliciting opposition to the extension request requires parties opposing the request to explain why a delay would be detrimental to the public interest, even though the burden should rest on the Department as the party who requested the extension and not on those opposing the extension request.

Joint Commenters hope that any updates to Attachment 6 are complete by the end of 2021 so that the distributed generation tariffs (“DG Tariff”) filed in early 2022 reflect any new changes to Attachment 6. Joint Commenters believe there will need to be a hearing following the comment period to resolve areas of disagreement among the parties and, potentially, another comment after a hearing once the Commission has clarified the scope of the DG Tariff. Therefore, a six-month extension makes it less likely that any updates to Attachment 6 will be finalized by the end of 2021.

For the foregoing reasons, Joint Commenters respectfully oppose the Department of Commerce’s request to extend the comment period by another six months. If the Commission denies the six-month extension request, Joint Commenters would not object to a 30-day extension of the reply comment deadline to December 30, 2020.

Dated: November 23, 2020

Respectfully submitted:

/s/ Jeffrey Hammons

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**CERTIFICATE OF SERVICE**

**Docket No. CI-16-521/M-01-1023**

I, Rebecca Lazer, hereby certify that I have this day, served a true and correct copy of the foregoing document to all persons at the addresses indicated on the attached service list by electronic filing or by depositing the same enveloped with postage paid in the United States Mail at Chicago, Illinois.

November 23, 2020

/s/ Rebecca Lazer

Legal Assistant

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E  St. Paul, MN 55106	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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John	McWilliams	John.McWilliams@DairylandPower.com	Dairyland Power Cooperative	3200 East Ave SPO Box 817  La Crosse, WI 54601-7227	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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Tim	Mergen	tmergen@meeker.coop	Meeker Cooperative Light And Power	1725 US Hwy 12 E. Suite 100  PO Box 68 Litchfield, MN 55355	Electronic Service	No	OFF_SL_16-521_Official Service List PUC
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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John C.	Reinhardt	N/A	Laura A. Reinhardt	3552 26th Ave S  Minneapolis, MN 55406	Paper Service	No	OFF_SL_16-521_Official Service List PUC
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_16-521_Official Service List PUC
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Brian	Zavesky	brianz@mrenergy.com	Missouri River Energy Services	3724 West Avera Drive P.O. Box 88920 Sioux Falls, SD 57108-8920	Electronic Service	No	OFF_SL_16-521_Official Service List PUC