

Esteemed members of the Minnesota Senate Energy, Utilities, Environment, and Climate Committee:

My name is Kristen Fornes and I am the Head of ENGIE North America's Distributed Solar and Storage business. I am testifying today against lines 14.13 to 14.15 of SF 2393. ENGIE's Distributed Solar & Storage group is based in Chicago and has been building and operating small-scale solar and storage facilities for customers across the Midwest since 2008, including a significant portfolio of projects in Minnesota. ENGIE currently has 42 MW of operational community solar projects in Minnesota that have been online since 2017, powering the equivalent of 5,880 households¹ with clean, affordable and locally-produced energy. We are also developing additional projects for the LMI CSG Program adopted by the General Assembly just two years ago. These projects will reduce electric expenses for Minnesotans who most need the relief.

ENGIE has invested millions of dollars in our Minnesota community solar portfolio in good faith and in reliance on established law. According to the original CSG statute from 2013 and the updated 2022 law, the Community Solar program has a 25-year tenure. ENGIE relied on the program's 25-year tenure to invest heavily in the state of Minnesota. ENGIE signed long term leases with landowners, procured materials, contracted with MN-based construction partners, contracted with local subscribers, constructed and now maintains a highly productive operating portfolio of solar assets.

This bill proposes ending the community solar program in 2028, seventeen years earlier than ENGIE's current contracts. ENGIE subscribers, who are primarily municipalities, school districts, houses of worship, small and large businesses alike, are in year 8 of a 25 year contract with ENGIE and are already saving money on their utility bills. Across ENGIE's Minnesota portfolio, our subscribers will save more than half a million dollars this year. At any given time, ENGIE's community solar projects are all fully subscribed, showing that there is demand from Minnesota ratepayers for affordable, local electricity options. Our existing community solar projects provide a steady stream of income for six landowners & family farms through annual land lease payments – ENGIE is leasing 282 acres of land to house our operational solar assets, all of which are co-planted with a resilient mix of native grasses. One of ENGIE's Minnesota community solar projects was even featured in the New York Times² highlighting native pollinator gardens planted underneath solar arrays, and their positive impacts on ecosystems. In addition to subscriber savings, our community solar assets created jobs for local workers and generate tax revenue for Minnesota local governments and school districts.

Make no mistake, the impact of this bill would irreparably harm ENGIE's investments made in Minnesota to date. ENGIE's customers – municipalities, school districts, houses of worship, small and large businesses alike – all signed long-term contracts with ENGIE with the expectation that these projects will deliver the savings and system benefits outlined in existing MN law, regulations,

¹ Solar Energy Industries Association (SEIA) estimates 1 MWdc will power approximately 140 homes in Minnesota. See article map. <https://seia.org/whats-in-a-megawatt/>

² "Solar Farms Have a Superpower Beyond Clean Energy" Published Sept. 5, 2024.

Updated Sept. 6, 2024. The New York Times. https://www.nytimes.com/2024/09/05/climate/solar-power-pollinators-wildlife.html?unlocked_article_code=1.IU4.Z25G.Yj1AeRjzUlvj&smid=url-share

tariffs and contracts. These MN entities will also be harmed should this bill become law. Now, multiply those losses across all MN CSG investors, owners, operators, customers, and landowners.

Passing this bill would result in an unprecedented interference in existing contracts for operating energy infrastructure. If retroactive changes in law were routine, can you imagine the impact this would have on business? Not only would it send a signal that Minnesota is a risky place to invest, but it would also lead to years of litigation, abandoned projects, and stranded costs for ratepayers. Passing investment-destroying retroactive changes in law is not a reputation that the state of Minnesota wants to earn. I urge you to please reject this bill.

Kristen Fornes

Head of ENGIE North America Distributed Solar and Storage