

Issued April 7, 2014, the Minnesota Public Utilities Commission *Order Rejecting Xcel's Solar-Garden Tariff Filing and Requiring The Company to File a Revised Solar-Garden Plan* (pg. 28-30) lists the subscriber-protection measures that the tariff and contract between Xcel and the solar-garden operator must include. Source: [Minnesota Public Utilities Docket No. E002/M-13-867](#)

- The tariff and contract between Xcel and the solar-garden operator shall include the following subscriber-protection measures:
 - A requirement that the solar-garden operator provide the subscriber with a statement that Xcel makes no representations concerning the taxable consequences to the subscriber of bill credits or other tax issues related to participating in the solar garden.
 - A requirement that the solar-garden operator obtain opinion letters from attorneys and tax professionals providing assurance that the operator is not misleading a subscriber on any legal or tax benefits of participation.
 - A requirement that the solar-garden operator demonstrate that it has funds dedicated for its O&M expenses.
 - A requirement that the solar-garden operator provide the subscriber with the following information:
 - Future costs and benefits of the subscription, which shall include the following information:
 - All nonrecurring (i.e. one-time) charges;
 - All recurring charges;
 - Terms and conditions of service;
 - Whether any charges may increase during the course of service and, if so, how much advance notice is provided to the subscriber;
 - Whether the subscriber may be required to sign a term contract;
 - Terms and conditions for early termination;
 - Any penalties that the solar garden may charge to a subscriber;
 - The process for unsubscribing and any associated costs;
 - An explanation of the subscriber data that the solar-garden operator will share with Xcel and that Xcel will share with the solar-garden operator;
 - Xcel's data-privacy policy and solar-garden operator's data-privacy policy;
 - The method of providing notice to subscribers when the solar garden is out of service, including notice of the estimated length and loss of production;
 - Assurance that all installations, upgrades, and repairs will be under the direct supervision of a NABCEP-certified solar professional and that maintenance will be performed according to industry standards, including the recommendations of the manufacturers of solar panels and other operational components;
 - The allocation of unsubscribed production; and
 - A statement that the solar-garden operator is solely responsible for resolving any disputes with Xcel or the subscriber about the accuracy of

the solar-garden production and that Xcel is solely responsible for resolving any disputes with the subscriber about the applicable rate used to determine the amount of the bill credit;

- A copy of the contract between the solar-garden operator and Xcel;
 - A copy of the solar-panel warranty;
 - Proof of insurance;
 - Proof of a long-term maintenance plan;
 - The solar garden's production projections and a description of the methodology employed by the solar-garden operator in developing those projections; and
 - Solar-garden operator contact information for subscriber questions and complaints.
- A requirement that Xcel include a bill message to solar-garden subscribers clarifying that questions or concerns related to their solar garden should be directed to the solar-garden operator, including a statement that the solar-garden operator is solely responsible for resolving any disputes with Xcel or the subscriber about the accuracy of the solar-garden production and that Xcel is solely responsible for resolving any disputes with the subscriber about the applicable rate used to determine the amount of the bill credit. The Commission delegates authority to the Executive Secretary to approve the specific language and frequency of the notice.
 - A requirement that Xcel disclose to subscribers that the Company recognizes that not all production risk factors, such as grid-failure events or atypically cloudy weather, are within the solar-garden operator's control.

Additionally, [Xcel Energy](#), the [Minnesota Department of Commerce](#), and [Clean Energy Resource Teams](#) have all developed helpful guides and checklists for prospective subscribers of Xcel Energy's Community Solar Garden Program.