



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

April 2, 2026

Sasha Bergman, Executive Secretary
Minnesota Public Utilities Commission
121 7th Place E, Suite 350
Saint Paul, MN 55101-2147
via email: Sasha.Bergman@state.mn.us

RE: Rejection of EPA Complaint No. 09X-25-R5

Dear Executive Secretary Bergman:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against Minnesota Public Utilities Commission (PUC). The complaint raises allegations of discrimination by PUC on the bases of geographic area, socioeconomic status, and political representation by allowing Ranger Power to concentrate utility scale solar projects in small, rural, majority white but economically vulnerable communities, while bypassing urban communities with stronger political representation.¹

This letter serves to notify you that ECRD is rejecting the complaint.

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is

¹ *See* Complaint Nos. 09X-25-R5, 10X-25-R5, & 06X-25-R5

one based on race, color, national origin, sex, age, or disability. Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 7.120(b)(2).

After careful consideration, ECRD must reject this complaint because PUC is not a recipient of EPA financial assistance. Accordingly, ECRD must reject this complaint for investigation.

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Trameka Caldwell by email at Caldwell.Trameka@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive style and is enclosed within a thin black rectangular border.

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Cheryl Newton, Deputy Regional Administrator/Deputy Civil Rights Official
Robert Kaplan, Regional Counsel
U.S. EPA, Region 5