

The Commission met on **Thursday, October 6, 2005**, with Chair Koppendrayner and Commissioners Johnson, Nickolai, Pugh and Reha present.

Comment [COMMENT1]: Minutes by Peter Brown. 3 motions were made.

ENERGY AGENDA

G-002/M-05-534

In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of a Variance Allowing the Recovery of a New Kansas Property Tax Through the Purchased Gas Adjustment

Commissioner Reha moved that the Commission

1. determine that the Kansas tax is closely associated with gas storage in Kansas such that it is reasonable to grant a one year variance to Minn. Rule 7825.2400, subp. 12 to allow the recovery of the January 1, 2004, 2005 and 2006 assessed tax in the PGA;
2. require the Company to include the Kansas property tax as a separate line item in its monthly PGA;
3. require the Company to submit a report with its Annual Automatic Adjustment report detailing the total amount collected from ratepayers during the gas year;
4. require the Company to file a quarterly report on the status of all administrative and legal activities regarding the Kansas Property tax until such time as all administrative and legal avenues are exhausted; and
5. require the Company to refund immediately all charges collected through the PGA should the Kansas property tax be overturned pursuant to Minnesota Rules, Part 7825.2700, subp. 8.

The motion passed 3-2. Commissioners Nickolai and Johnson voted no.

G-001/M-05-266

In the Matter of the Petition of Interstate Power and Light Company to Recover the Kansas Property Tax on Gas in Storage Through the Annual PGA True-up Filing

Commissioner Reha moved that the Commission

1. determine that the Kansas tax is closely associated with gas storage in Kansas such that it is reasonable to grant a one year variance to Minn. Rule 7825.2400, subp. 12 to allow the recovery of the January 1, 2004, 2005 and 2006 assessed tax in the PGA;
2. require the Company to include the Kansas property tax as a separate line item in its monthly PGA;
3. require the Company to submit a report with its Annual Automatic Adjustment report detailing the total amount collected from ratepayers during the gas year;

4. require the Company to file a quarterly report on the status of all administrative and legal activities regarding the Kansas Property tax until such time as all administrative and legal avenues are exhausted; and
5. require the Company to refund immediately all charges collected through the PGA should the Kansas property tax be overturned pursuant to Minnesota Rule 7825.2700, subp. 8.

The motion passed 3-2. Commissioners Nickolai and Johnson voted no.

E-015/PA-04-2020

In the Matter of Minnesota Power's Petition for Review of an Agreement Between Minnesota Power and American Transmission Company

Commissioner Nickolai moved that the Commission find that the transfer of assets at issue is consistent with the public interest under Minn. Stat. § 216B.50 and approve the proposed transfer subject to the following conditions:

1. the appropriateness of costs and compensation for this transaction may be considered within the context of a rate-setting proceeding, such as Minnesota Power's next general rate case;
2. Minnesota Power will have the necessary access to the poles and right-of-way to continue serving its retail load without any degradation in service or increase in cost; and
3. Minnesota Power will file all subsequent contracts entered into between itself and American Transmission Company.

The motion passed 5-0.

E-002/RP-04-1752

In the Matter of Xcel Energy's 2004 Resource Plan

The Commission heard oral argument as scheduled in this matter and took no further action.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: OCTOBER 19, 2005

Burl W. Haar, Executive Secretary