

The Commission met on **Thursday, October 27, 2005**, with Acting Chair Reha and Commissioners Johnson, Nickolai, and Pugh present.

Comment [COMMENT1]: Minutes by Peter Brown. 6 motions were made.

TELECOMMUNICATIONS AND ENERGY AGENDA

P-5604/M-05-1426

In the Matter of the Relinquishment of Epicus, Inc.'s Certificate of Authority

P-5604/M-05-238

In the Matter of Telephone Company of Central Florida Investigate Name Change

Commissioner Nickolai moved that the Commission

1. approve the request of Epicus, Inc. to relinquish its certificate of authority;
2. notify Qwest Corporation that the company has relinquished its authority and service should not be offered under the interconnection agreement approved in Docket No. P-421, 5604//IC-01-410;
3. close Docket No. P-5604/M-05-238 regarding a change of name; and
4. clarify that the company remains responsible for any unpaid assessments or fees.

The motion passed, 4-0.

G-004/M-05-1444

In the Matter of a Request by Great Plains Natural Gas, a Division of MDU Resources Group, Inc., for Approval of a Refund Plan for a Supplier Refund

Commissioner Johnson moved that the Commission approve the Company's withdrawal of its proposed refund filing.

The motion passed, 4-0.

G-002/M-05-1332

In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of a Variance Regarding the Timing of Transporter Refunds

G-002/GR-04-1511

In the Matter of an Application by Northern States Power Company d/b/a Xcel Energy for Authority to Increase Rates for Natural Gas Service in the State of Minnesota

G-002/GR-92-1186

In the Matter of an Application by Northern States Power Company d/b/a Xcel Energy for Authority to Increase Rates for Natural Gas Service in the State of Minnesota

Commissioner Pugh moved that the Commission

1. grant a variance to Minn. Rule 7825.2700, Subp. 8 to allow Xcel to combine the WBI refund and any prior amounts in the PGA refund account with the Northern Natural Gas Pipeline refund;
2. direct Staff, the Department, and the Company to develop a revised procedure and agreement for supplier/transporter refunds; and
3. modify the August 5, 2005 Order in Docket No. G-002/GR-92-1186 and the August 11, 2005 Order in Docket No. G-002/GR-04-1511 to allow Xcel to make the incentive compensation refund as part of the supplier/transporter refund.

The motion passed, 4-0.

ET2/TR-05-1495

In the Matter of a Request by Great River Energy for Determination of Whether to Grant a Minor Alteration or Permit Amendment to Great River Energy's Permitted Route for a 115 Kilovolt High Voltage Transmission Line in Plymouth and Maple Grove in Hennepin County, Minnesota

Commissioner Nickolai moved that the Commission authorize the GRE Plymouth Maple Grove 115 kV project to reroute a 0.75 mile segment as received in their modification request as a Minor Modification under Minnesota Rules, Part 4400.3820.

The motion passed, 4-0.

E,G-999/R-05-444

In the Matter of Possible Amendments to Commission Rules Governing Energy Utility Billing Errors

Commissioner Nickolai moved that the Commission

1. proceed with the rulemaking and authorize staff to take the necessary steps; and
2. change Minnesota Rules. Parts 7820.3800 and 7820.4000 to direct utilities to pay customers who have been overcharged –
 - a refund calculated over a period of up to three years, as is the practice of Northern States Power Company d/b/a Xcel Energy (Xcel), and
 - interest on the overcharged amount at a rate prescribed by Minnesota Statutes § 325E.02.

The motion passed 4-0.

Commissioner Nickolai moved to change Minnesota Rules, Parts 7820.3700 through 7820.4000 to permit an energy utility to mail a refund check to a customer's last known address without first mailing a notice.

The motion passed 4-0.

ORAL ARGUMENT ITEM

E-001/M-05-406

In the Matter of Interstate Power and Light Company Petition for Approval of a Revision to Rider for Fuel Clause to Recovery Costs and Pass-Through Revenue Related to MISO Day 2.

E-015/M-05-277

In the Matter of Minnesota Power Petition for Approval of Revision to Rider for Fuel Adjustment to Recovery Costs and Pass-through Revenues Related to MISO Day 2

E-002/M-04-1970

In the Matter of Xcel's Petition for Affirmation that MISO Day 2 Costs Are Recoverable Under the Fuel Clause Adjustment Rules and Associated Variances

E-017/M-05-284

In the Matter of Otter Tail Power Company Petition for Approval of Revision to Rider for Fuel Clause Adjustment to Pass-Through Revenues and Recover Costs Related to MISO Day 2 Under its Transmission and Energy Market Tariff

The Commission heard oral argument from the parties.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: NOVEMBER 9, 2005

Burl W. Haar, Executive Secretary