

The Commission met on **Thursday, November 8, 2007**, with Chair Koppendrayer and Commissioners Boyd, Johnson, Pugh, and Reha present.

Comment [COMMENT1]: Minutes by Peter Brown. 5 motions were made.

## TELECOMMUNICATIONS AND ENERGY AGENDA

### **P-421/C-02-197**

#### **In the Matter of the Complaint of the Minnesota Department of Commerce Against Qwest Corporation Regarding Unfiled Agreements**

Commissioner Koppnedrayer moved that the Commission give the parties ten days to explore settlement possibilities and file a proposal for resolving the case.

The motion passed 3-2. Chair Koppendrayer and Commissioner Reha voted no.

Chair Koppendrayer moved that the Commission require the parties to make a filing on or before November 19 containing a settlement proposal or a report on the status of negotiations.

The motion passed 5-0.

The Chair announced a recess until 1:30 for lunch

### **E-017/GR-07-1178**

#### **In the Matter of the Application of Otter Tail Corporation d/b/a Otter Tail Power Company for Authority to Increase Rates for Electric Utility Service in Minnesota**

Commissioner Pugh moved that the Commission

1. accept this filing as being in proper form and substantially complete as of October 1, 2007 and direct the Company to file supplemental information on the capital structure and smart metering within 30 days;
2. suspend the proposed final rates until the Commission makes its final determination in this matter;
3. refer this Matter to the Office of Administrative Hearings for a Contested Case Proceeding and request the ALJ's report within eight months of the effective date of the filing, i.e. on or before June 1, 2008;
4. in the Notice and Order for Hearing, require the following:

- a. this Order will be served on the Company, which shall mail copies of the Order to all municipalities, counties, and local governing bodies in its Minnesota service area;
- b. public hearings shall be held in this matter at locations within the service area of the Company.
- c. the Company shall give the following notices of the evidentiary and public hearings:
  1. individual written notice to each customer, which may be in the form of a bill insert, and shall be served at least ten days before the first day of hearings;
  2. written notice to the governing bodies of all municipalities, counties, and local governing bodies in the area affected and to all parties in the Company's last two rate cases. These notices shall be mailed at least ten days before the first day of hearings.
  3. display advertisements in legal newspapers of affected counties and other newspapers of general circulation within the Company's Minnesota service area; these advertisements shall appear at least ten days before the first day of hearings and shall include the heading **RATE INCREASE NOTICE**, which heading shall appear in bold face type no smaller than 30 points;
  4. the Company shall submit proposed notices for Commission approval prior to publication or service; and
5. delegate authority to approve notices and bill inserts to the Commission's Executive Secretary for the duration of this proceeding.

The motion was adopted, 5-0.

**G-002/GR-06-1429**

**In the Matter of the Application of Northern States Power Company, a Minnesota Corporation and Wholly-Owned Subsidiary of Xcel Energy, Inc., for Authority to Increase Rates for Natural Gas Service in Minnesota**

Commissioner Pugh moved that the Commission deny the petition for reconsideration.

The motion was adopted, 4-1. Commissioner Koppendraye voted no.

**PL, E-280/GP-06-1481**

**In the Matter of the Application of the Nashwauk Public Utilities Commission for a Routing Permit for a Natural Gas Pipeline**

Commissioner Boyd moved that the Commission take the following actions:

1. regarding alignment modifications, recognize the alignment modification proposal (Michael Karna) and forward it to the ALJ in order to develop a record on this item at the contested case hearing and further recognize that no formal Commission action is required on the alignment modifications within the Nashwauk Public Utilities Commission's proposed route for them to be considered at the contested case hearing;
2. regarding route alternatives, accept for consideration at the contested case hearing route Alternative 1 (yellow), Alternative 2 (orange), Alternative P-1 (light blue), Alternative P-2 (dark blue), and CAC Alternative Route Segment (purple);
3. regarding route segment alternatives, take no action on the proposed White Alternative Route Segment, thereby not moving the alternative forward for consideration at the contested case hearing; and
4. require Nashwauk Public Utilities Commission to work with Commission and Department staff to provide notice to potentially affected landowners and local governments for the route alternatives approved by the Commission This notice should be provided as soon as practicable, Minnesota Rules 7829.2550 regarding notice plans for large electric transmission lines should be used as a guide for the notice content and distribution.

The motion was adopted, 5-0.

There being no further business before the Commission, the meeting was adjourned.

**APPROVED BY THE COMMISSION: NOVEMBER 21, 2007**

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**Burl W. Haar, Executive Secretary**