

The Commission met on **Thursday, August 11, 2005**, with Chair Koppendray and Commissioners Johnson and Nickolai present.

Comment [COMMENT1]: Minutes by Peter Brown. 10 motions were made.

JOINT TELECOMMUNICATIONS AND ENERGY AGENDA

P-404,407,520,405,413,421,426,427,430,573/CP-04-1352

In the Matter of a Petition for Extended Area Service from Kilkenny to Metro

Commissioner Johnson moved that the Commission

1. approve extended area service (EAS) between Kilkenny and the MCA and require Frontier Communications to implement the service in their exchange within 12 months following the date of the Order Certifying Polling Results (Order);
2. require Frontier Communications to coordinate the implementation of EAS in the Kilkenny exchange with the telephone companies that serve the MCA and file an implementation schedule within 60 days of the Order; if, for some reason, the implementation schedule changes, Frontier Communications should immediately notify the Commission and explain the reason(s) for the change;
3. require Frontier Communications to file the first of two proposed customer notices for approval by Commission staff within 10 days of the date of the Order; the notice for customers in the Kilkenny exchange should list the results of the polling, the EAS additives and the proposed implementation date; after approval, Frontier Communications should serve the notice in the first possible billing cycle;
4. require Frontier Communications to send a final, Commission approved, notice to customers in the Kilkenny exchange, either by bill insert or separate mailing; the final notice should describe the service, instruct customers on dialing, list the additional monthly rates, the date of implementation and any other pertinent information; Frontier Communications should issue the notice one month before it implements EAS;
5. require that Frontier Communications make any requests for recovery of non-recurring costs at least 120 days before the planned implementation date; the Department should have 30 days to comment on the proposed charges;
6. require the companies serving the MCA to file proposed customer notices for customers in the MCA for approval by Commission staff 90 days before the anticipated implementation date of the Kilkenny-MCA route; the notices should describe the service, instruct customers on dialing, list the additional rates to be paid and the date of implementation; the companies should send the notices during billing cycles that conclude at least one month, but not more than two months, before EAS is implemented; and
7. require Frontier Communications to file tariff sheets reflecting Commission Orders that

establish the rates and terms for EAS between Kilkenny and the MCA; these tariff sheets should be filed at least 30 days before implementation of EAS. Docket No. P-404,407, 520,405,413,421,426,427,430,573/CP-04-1352 will then be closed.

The motion passed, 3-0.

P-999/CI-05-1207

In the Matter of Department of Human Services FY 2006 Budget Proposal to Implement Local News Programming for Deaf, Deafblind and Hard of Hearing People

Commissioner Nickolai moved that the Commission approve the request of the Minnesota Department of Human Services for \$268,000 to implement S.F. 1064 for the period of July 29, 2005 to June 30, 2006.

The motion passed, 3-0.

05-91-PPS-Xcel High Bridge

In the Matter of the Application by Xcel Energy for a Site Permit for Construction of a Natural Gas-Fueled, Combined Cycle Power Plant at the High Bridge Plant Site in Saint Paul, Minnesota

Commissioner Nickolai moved that the Commission

1. grant the requested Site Permit for the High Bridge repowering project, a large electric power generating plant (LEPGP); and
2. find that the Environmental Assessment and the record have addressed the issues identified in the scoping decision.

The motion passed, 3-0.

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 reconsider this matter.

The motion passed, 3-0.

Commissioner Nickolai moved that the Commission grant Minnesota Power's request for a rehearing and stay reconsideration of the merits of the June 1, 2005 Order until the Commission

considers the Agreement after the end of the current comment period.

The motion passed 3-0.

Commissioner Nickolai moved that the Commission

1. determine that due to the change of focus in this proceeding resulting from the Commission's June 1, 2005 Order from jurisdiction to public interest, there is justification to vary the intervention period to coincide with the reply comment period in the Commission's June 1, 2005c Order; and
2. consistent with that decision, grant American Transmission Company (ATC) intervener status.

The motion passed, 3-0.

E-001/M-05-542

In the Matter of Interstate Power and Light's Request for Approval of a Variance to the Fuel Clause Adjustment Rules for Financial Hedging

Pulled before the meeting.

E-017/AI-05-131

In the Matter of a Petition by Otter Tail Corporation d/b/a Otter Tail Power Company for Approval of Tax Agreements With Subsidiaries

Commissioner Johnson moved that the Commission

1. require Otter Tail to provide the affiliated interest requirements for Minn. Rule, Part 7825.2200, B and Otter Tail's information for each requirement in one location in their next affiliated interest filing;
2. defer the issue of whether tax amounts assigned to the utility are reasonable to Otter Tail's next rate case;
3. order Otter Tail to demonstrate the reasonableness of all tax payments assigned to the Utility in future rate cases and include in its next rate case its calculation of the Utility's tax amount calculated on a separate return basis;
4. deny Otter Tail's request to make an annual filing of its updates to its Tax Agreements;
5. require Otter Tail to file changes in its Tax Agreement with the 30-day filing requirement

in Docket No. E,G-999/CI-98-651; and

6. require Otter Tail to review its internal written procedures to ensure that Otter Tail employees are adequately informed to ensure proper identification and timely filing of affiliated interest agreements in the future.

The motion passed, 3-0.

E-017/AI-05-652

In the Matter of a Request by Otter Tail Power Company for Approval of an Affiliated Wind Power Purchase Agreement, Wind Acceleration Tariff, and Related Matters

Commissioner Nickolai moved that the Commission table this matter.

The motion passed, 3-0.

G-008/CI-04-2001

In the Matter of CenterPoint Energy's Implementation of the Cold Weather Rule and Reconnection Policies

Commissioner Koppendraye moved that the Commission appoint Commissioner Nickolai as the Lead Commissioner in this docket in Commissioner Reha's absence, effective August 12, 2005.

The motion passed, 3-0.

Commissioner Nickolai moved that the Commission

1. approve the following reporting requirements that CenterPoint has proposed to implement:
 - a. annually on May 31, the number of residential customers disconnected annually and the number of residential customers who remain disconnected at the start of or are disconnected at any point during, the Cold Weather Rule (CWR) period;
 - b. in the monthly report, to provide 1) the number of reconnection plan and payment schedule requests received by the Company, 2) the number of customer accounts granted reconnection plans, the 10% plans, and payment schedules, and 3) the number of Inability to Pay Requests received and granted;
 - c. a weekly report, beginning September 1, indicating how many residential heating accounts remain in disconnect status and how many accounts have been reconnected in the week prior; and

- d. a daily report, beginning October 1 and continuing through October 14, indicating how many residential heating accounts were disconnected in the preceding 24 hours; and
2. clarify that consideration of additional reporting requirements proposed by the Energy CENTS Coalition and the Residential and Small Business Utilities Division of the Office of the Attorney General (RUD-OAG) is deferred to a later date.

The motion passed, 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: AUGUST 24, 2005

Burl W. Haar, Executive Secretary