

The Commission met on **Thursday, October 13, 2005**, with Acting Chair Reha and Commissioners Johnson, Nickolai, and Pugh present.

Comment [COMMENT1]: Minutes by Peter Brown. 7 motions were made.

COMBINED TELECOMMUNICATIONS AND ENERGY AGENDA

Minutes

Commissioner Nickolai moved that the Commission approve the draft minutes for the October 7, 2005 with the amendment that in the final motion the phrase "AT&T regulatory counsel" contain the underlined addition: "AT&T regulatory counsel Mary Tribby".

The motion passed 4-0

TELECOMMUNICATIONS AGENDA

P-999/M-05-1404

In the Matter of a Petition by the Minnesota Department of Commerce to Order Discontinuance of Service to Revoked Carriers and Carriers That Have Relinquished Their Authority

Commissioner Johnson moved that the Commission

1. order all local exchange and interexchange carriers to discontinue service arrangements enabling the identified carriers to provision intrastate telecommunications services to end use and wholesale customers after submitting, and receiving Department approval of, a transition plan for any end-use or wholesale customers;
2. order all local exchange and interexchange carriers with existing service arrangements for the provision of services to the identified carriers to contact the Department in writing within 7 days of the date of this Order regarding the development of a transition plan for any end-use or wholesale customers, including the provision of notice;
3. order all local exchange and interexchange carriers with existing service arrangements for the provision of services to the identified carriers to formally discontinue and terminate arrangements enabling the identified carriers to provision intrastate telecommunications services to end use customers as of the effective date specified by the Department in its future written notice approving transition plan;
4. order all local exchange and interexchange carriers to not engage in any new service arrangements for the provision of services that enable the identified revoked carriers to provide intrastate telecommunications service to end-use or wholesale customers effective immediately, unless this Order is superseded by another Commission Order.

The motion passed 4-0.

P-999/M-05-1169

In the Matter of a Commission Investigation to Consider Adopting the Federal Communications Commission's Standards for Designating Eligible Telecommunications Carriers

Commissioner Nickolai moved that the Commission in addition to the Commission's existing review process, adopt the FCC standards with the following modifications:

- a. modifications as adopted by the Commission in Docket 05-741, as follows : (1) carriers may choose to file their annual progress reports on two-year service quality improvement plans, instead of five-year plans; and (2) carriers may choose to file information on a service-area basis, instead of a wire-center basis; and
- b. as suggested by the RUD-OAG, determine that a wireless ETC applicant's commitment to comply with the Cellular Telecommunications Internet Association's (CTIA's) Consumer Code for a Wireless Service does not satisfy consumer protection and service quality standards.

The motion passed 4-0.

PT-6458/M-05-1122

In the Matter of American Cellular Corporation's Petition for Designation as an Eligible Telecommunications Carrier and Redefinition of Rural Telephone Company Service Area Requirement

Commissioner Nickolai moved that the Commission

1. require American Cellular Corporation to make a supplementary filing within ten days containing the information already given to the Department pursuant to a Department information request and any additional information the Company may deem relevant;
2. designate Commissioner Reha as Lead Commissioner for purposes of issuing a Protective Order; and
3. clarify in the Order implementing this motion that when the case comes back to the Commission for consideration of the merits of the petition the Commission will apply the standards in effect prior to this day's meeting.

The motion passed 4-0.

ENERGY AGENDA

E-109,ET-2/MC-05-1464

In the Matter of a Request by Great River Energy for a Minor Alteration to Relocate and Rebuild the Nokay Substation Owned by Crow Wing Power and Construction of Approximately 180 Feet of 115 kV Transmission Line to Be Owned by Great River Energy Near Brainerd, Minnesota

Commissioner Nickolai moved that the Commission approve the minor alteration as requested.

The motion passed 4-0.

G-008/CI-04-2001

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

Commissioner Reha moved that the Commission

1. substitute the provisions of the agreement filed October 12, 2005 between CenterPoint Energy and the Office of the Attorney General regarding a process to achieve reconnections for corresponding provisions of the Commission's January 12, 2005 Order in this matter, including the replacement of a script to be used by the Company's customer service representatives with a new script and flow chart attached to the parties' October 12, 2005 filing;
2. ask Commission staff to place this matter on the Commission's November 4 or 11, 2005 meeting agenda; and
3. alter the Company's reporting requirements in the following respect: instead of reporting daily whether a customer account has been locked and if so how many, the Company will report only on days when a customer account has been locked and if so how many.

The motion passed 4-0.

E-002/RP-04-1752

In the Matter of Xcel Energy's 2004 Resource Plan

Commissioner Nickolai moved that the Commission

1. order Northern States Power Company d/b/a Xcel Energy (Xcel Energy) to file a detailed report by November 23, 2005, including specific cost information, engineering data and technology type, site and location data, environmental impact data, specific transmission information and stage of development for each resource alternative; Xcel Energy shall also file a statement of the pros and cons of each alternative and, to the extent possible, indicate the conditions under which each of the alternatives would become the preferred option;
2. invite the Minnesota Department of Commerce (the Department) by November 23, 2005,

to provide more specific and detailed information regarding its proposal to use the Certificate of Need or alternative process to consider alternatives to Xcel Energy's preferred alternative; the filing should explain how the proposed process would work, how it would conform to relevant rules, and how alternatives would be standardized to allow for comparison; and

3. invite comments on Xcel Energy's and the Department's filings by Friday, December 30, 2005, and responsive comments by Monday, January 16, 2006.

The motion passed 4-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: OCTOBER 26, 2005

Burl W. Haar, Executive Secretary