

The Commission met on **Tuesday, December 21, 2004**, with Acting Chair Reha and Commissioners Johnson and Pugh present.

Comment [COMMENT1]: Minutes by Ann Pollack, Peter Brown and Carol Casebolt. 5 motions were made.

ENERGY AGENDA

G-002/M-04-1797

Petition by Northern States Power Company d/b/a Xcel Energy for Approval of an End-user Allocation Service.

Commissioner Johnson moved that the Commission take the following action:

- approve Xcel's request to extend the approved pilot EUAS Rider beyond October 31, 2004, until final rates are implemented in Docket No. G002/GR-04-1511;

The motion passed 3-0.

E-002/M-04-1663

Petition by Northern States Power Company d/b/a Xcel Energy to Revise City Requested Facilities Surcharge

Commissioner Pugh moved that the Commission take the following action:

- approve Xcel's proposal, as revised;

The motion passed 3-0.

E-002/M-02-2097

In the Matter of a Petition by Northern States Power Company d/b/a Xcel Energy to Separate the Fuel Clause Adjustment from the Resource Adjustment

Commissioner Pugh moved that the Commission take the following action:

Approve the separation proposal as modified by the Department and the Company through the multiple rounds of filings. This would accomplish all of the following:

- a. Establish a "Fuel Cost Adjustment" on customers' bills separate from the Resource Adjustment.
- b. Continue the combination of the remaining items in the Resource Adjustment on the customers' bills.
- c. Direct implementation of the separation plan within 60 days of the rollout of the new billing system, whichever is earlier.
- d. Direct Xcel to file updated tariff pages at the time of implementation of the separation plan. Accept Xcel's request to indicate in its main fuel clause tariff page that the Fuel Clause Adjustment will now be referred to as the Fuel Cost Adjustment on customers' bills and to link the main fuel clause tariff page to all other pages.

- e. Direct Xcel to work with the Consumer Affairs Office and the Department in finalizing the customer notice to be included as a bill insert with the first bill showing the separation. Xcel's phone number and web address shall be included on the notice.
- f. Rescind variances to Minn. Rules 7820.2600 and 7820.3500 (k) effective with the implementation of the separation of the FCA from the Resource Adjustment.
- g. Direct Xcel to have an itemization of the individual components of the Resource Adjustment and an explanation of the seasonal trends of the costs of fuel and purchased power posted on its website as recommended by the Department and agreed to by Xcel.
- h. Direct Xcel to reflect "Fuel Cost Adjustment" and update the purchased gas adjustment language on the back of the electric and gas bill stock as soon as possible.
- i. Direct Xcel to prepare "customer-friendly" documents explaining the individual components of the Resource Adjustment and explaining the seasonal trends of the costs of fuel and purchased power as agreed by the parties. The documents shall be filed with the Department and the Commission, posted to the Company's website, and communicated to customers calling Xcel's call center.
- j. Direct Xcel to propose a method to show all electric fuel costs on one line in the Company's next rate case (unless the Commission's decisions in the FCA investigation in Docket E-999/CI-03-802 render that option no longer feasible).
- k. Direct Xcel to provide annual notice to customers regarding the Resource Adjustment.

The Commission will delegate to the Executive Secretary authority to approve the final version of the customer notice and information filed with the Commission which is intended to be used by Xcel for posting to its website and communication with customers calling its call center.

The motion passed 3-0.

E-002/M-04-355

In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of a Second Amendment to a Power Purchase Agreement with Lake Benton Power Partners I, LLC

No motion was made.

Acting Chair Reha ruled the petition to be denied by operation of law.

E-103/C-02-105

In the Matter of the Complaint of Energy CENTS Coalition Complaint Against Beltrami Electric Cooperative, Inc.

Commissioner Reha moved that the Commission take the actions set forth below:

1. Approve the DOC recommendations on Beltrami's compliance filing as represented in their October 4, 2004 supplemental comments.
2. Require Beltrami to make a compliance filing within 30 days of the date of the Order demonstrating compliance with the terms of the Order.
3. Find that there is no compelling evidence to suggest that Beltrami Electric intentionally provided discriminatory treatment to its Red Lake members.
4. Encourage the Commissioner of the Department of Commerce to consider specific conservation improvement projects for residents of the Red Lake Reservation.
5. Decline to establish a proceeding to change the electric service provider for the Red Lake Reservation at this time.
6. Require Beltrami Electric to cease the practice of adding late fees after it has received payment assurance from Energy Assistance.
7. Require Beltrami Electric to enter into payment plans with its members in a timely fashion.
8. Require Beltrami Electric to promptly refund the money owed the customers it identified as having been charged for the past due bill of another member.
9. Require Beltrami to calculate and pay interest on the customer's identified as having been inappropriately charged.
10. Require Beltrami to calculate and pay interest on the amounts associated with the security deposits it held that were above two months average bill.
11. Require Beltrami to provide for low-income participation in the development of a new policy on the use of service limiters.
12. Require the Cooperative to cease the practice of rounding up security deposits to the nearest \$50.
13. Require the Cooperative to cease the practice of using past due collection amounts to determine the level of security deposit required.
14. Require the Cooperative to prepare and mail bill inserts, approved by the Consumer Affairs Office, asking members who have been asked or required to pay the past-due bills of others, or members who have knowledge of such requests or demands, to contact the Cooperative to enable the Cooperative to investigate and to issue refunds where appropriate.
15. Accept and enforce the Cooperative's agreement to apply security deposits exceeding past due amounts to those amounts, instead of disconnecting or applying load limiters to past-due accounts.

16. Require the Cooperative, as part of its compliance filing, to address inaccuracies in the consumption data supplied to the Energy Assistance program.

The motion passed 3-0.

ADDENDUM

G-008/CI-04-2001

In the Matter of CenterPoint Energy's Implementation of the Cold Weather Rule.

Commissioner Pugh moved that the Commission take the following action:

- Find that there is good cause for the Commission, on its own motion, to open an investigation into whether CenterPoint Energy's practices, acts or omissions with respect to Minn. Rules, pars 7820.1500 to 7820.2300 are in any way unreasonable or insufficient, or improperly prevent service from being obtained.
- Request that the Residential and Small Business Utilities Division of the Office of the Attorney General (RUD-OAG) work together with the Commission staff in conducting this investigation.
- Require CenterPoint Energy to continue to make efforts to reconnect customers that remain disconnected.
- Require CenterPoint Energy to use community resources to identify and find those people who remain disconnected.
- Require CenterPoint Energy to file weekly reports with the Commission and RUD-OAG advising on the progress of the Company in its efforts to reconnect previously disconnected customers;

The motion passed 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: JANUARY 5, 2005

Burl W. Haar, Executive Secretary