

The Commission met on **Thursday, April 10, 2003**, with Chair Koppendrayer and Commissioners Gavin, Reha and Scott present.

Comment [COMMENT1]: Minutes by Ann Pollack. 5 motions were made.

## TELECOMMUNICATIONS AGENDA

### **P-430/AM-03-259**

In the Matter of a Request to Provide DSL Service in the Rollingstone Area in Lieu of Customer Refunds

Commissioner Scott moved that the Commission take the following action:

- approve Sprint's proposal to provide DSL service in its Rollingstone exchange in lieu of providing customer refunds for failing to meet its AFOR service standards for clearing out-of-service trouble reports in 24 hours;

The motion carried 4-0.

## ENERGY AGENDA

### **E-002/AI-03-157**

In the Matter of a Petition for Approval of a Short-Term Coal Supply Letter Agreement with NRG Energy Center-Rock Tenn LLC

Commissioner Reha moved that the Commission take the following action:

- approve the petition with the following modifications and reporting requirements:
  - require the Company to credit FERC account 151 the invoice price to NRG RT;
  - grant Xcel a variance to Minnesota Rules part 7825.2400 subp. 8 to allow the difference between Xcel's invoice price to NRG RT and Xcel's incremental fuel and fuel related costs to flow through the fuel clause to ratepayers;
  - require the Company to include information on the fuel clause treatment of the costs and revenues associated with this Agreement in its Annual Automatic Adjustment of Charges reports covering 2003;

The motion carried 4-0.

### **E-111/M-02-2067**

In the Matter of Dakota Electric Association's 2003 Annual Conservation Report.

Commissioner Scott moved that the Commission take the following action:

- approve Dakota's 2003 Annual Conservation Improvement Report with the

following modification:

- set energy savings for CFLs in the Home Light project at 66kWh per lamp;
- require Dakota to implement C&I rebates for motors/ASDs and lighting retrofit applications, no later than December 31, 2003;
- require the Cooperative to report in its 2004 CIP on its investigation into meeting the statutory renewable fuels and distributed generation requirement (Minn. Stat. § 216B.2411);

The Commission's acceptance of the Department's recommendations (above) is not intended to imply that the Commission agrees with every statement and conclusion in the Department's comments, especially those that might imply how the Commission should treat storage and interruptible programs in future Commission dockets that would have their own records;

The motion carried 4-0.

**E-111/GR-03-261**

In the Matter of a Petition by Dakota Electric Association for Authority to Increase Electric Rates

Commissioner Reha moved that the Commission take the following action:

- find that the Company's filing is substantially complete and accept this filing as of March 3, 2003;
- suspend the proposed rates;
- refer this case to the Office of Administrative Hearings and request an ALJ Report by November 3, 2003;
- determine that exigent circumstances exist and set interim rates at existing rates. Allow interim rates to go into effect for service rendered on and after May 2, 2003;
- delegate authority to approve notices to the Commission's Executive Secretary;

The motion carried 4-0.

**E-999/R-02-327**

In the Matter of Possible Rules to Govern Transmission Filings Required under Minn. Stat. § 216B.2425

Commissioner Reha moved that the Commission take the following action:

- Adopt the proposed rules with the following changes:
  1. Modify part 7848.0500 clarify that if a utility's delegatee fails to file the utility's biennial transmission projects report, the utility is still obligated to file.
  2. Incorporate the changes set forth in the staff hand-out [attached to these minutes].
  3. Make minor grammatical and spelling changes at the staff's discretion.
- Authorize the staff to take the steps necessary to complete the rulemaking process.

The motion carried 4-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION

Approval Date:

April 17, 2003

Burl W. Haar  
Executive Secretary