

E-002/GR-92-1185 ORDER EXTENDING RATE SUSPENSION PERIOD

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Marshall Johnson	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner

In the Matter of the Application
of Northern States Power Company
for Authority to Increase its
Rates for Electric Service in
the State of Minnesota

ISSUE DATE: August 13, 1993

DOCKET NO. E-002/GR-92-1185

ORDER EXTENDING RATE SUSPENSION
PERIOD

PROCEDURAL HISTORY

On November 2, 1992, Northern States Power Company (NSP or the Company) filed both an electric and a gas general rate case.

On December 7, 1992, the Minnesota Department of Public Service (the Department) filed a Motion for Extension of Suspension Period. In this Motion, the Department requested that the Commission order the suspension period in both the gas and the electric rate cases be extended for 20 additional days pursuant to Minn. Stat. § 216B.16, subd. 2 (b) (1992). The Department based its request on the anticipation that a contested case would be deemed necessary in the U S West Centron case.

On December 14, 1992, the Commission issued its NOTICE AND ORDER FOR HEARING in this matter. The Commission declined to invoke the 20 day suspension because it was unclear at that time whether the additional suspension time would be required.

On July 23, 1993, the Administrative Law Judge (ALJ) filed Part II of his report in this matter. Thereafter, during a 10 day period, various parties filed exceptions to that report.

On August 5, 1993, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

Minnesota law allows the Commission to extend the ten month period during which proposed rates are suspended pursuant to Minn. Stat. § 216B.16, subd. 2 (a) (1992) if it finds it has

insufficient time to make a final determination¹ of the case due to the press of other previously filed cases involving changes in general rates. Minn. Stat. § 216B.16, subd. 2 (b) (1992). At this time, the Commission finds that circumstances warrant invoking that provision in subd. 2 (b) and extending the suspension period in this matter (NSP's electric rate case) for a period not to exceed 20 working days. Those circumstances are as follows:

Of the two simultaneously filed general rate cases, NSP's gas rate case is nearest completion. As of July 6, 1993, the Commission had a complete record in that case. Public briefing of the Commission by its Staff began in that matter on August 2, 1993, oral argument on August 4, 1993 and deliberations on August 10, 1993. It is anticipated that a final determination in that matter will be issued within the standard 10-month rate suspension period, i.e. on or before September 2, 1993.

In the electric rate case, however, the Commission did not have a complete record until July 23, when the ALJ issued Part II of his report in that matter and thereafter, parties had 10 days to file exceptions to the ALJ's report. In light of the later receipt of that record and the need to present and consider the electric rate case following deliberations on the gas rate case, the Commission foresees that the conclusion of its deliberations in later (electric) rate case will occur within one week of September 2, 1993, the statutory deadline for a final determination in that case. This would not allow enough time to prepare and review a final order in that matter.

In addition, the Commission currently has before it another previously filed case involving changes in general rates. See In the Matter of U S West Centron Price Change, Docket No. P-421/EM-91-328, which has come before the Commission pursuant to Minn. Stat. § 237.075 (1992). The Commission has received a Stipulation from the parties in that matter which is scheduled to consider on August 17, 1993. The Commission anticipates issuing a final determination in that matter before it issues a final determination in the NSP gas case.

¹ Throughout this Order, the term "final determination" has the meaning given it in the suspension extension provisions of Minn. Stat. § 216B.16, subd. 2 (1992): the Commission's initial Order on the merits of a case involving changes in general rates, not the Order After Reconsideration of such Order. With regard to NSP's electric general rate case, for example, the Commission's "final determination" will be its FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER.

Commission Action

In light of its responsibilities with respect to these two matters, the Commission will invoke its authority under Minn. Stat. § 216B.16, subd. 2(b) (1992) to extend the period that NSP's rates are suspended. NSP's proposed electric rates will remain suspended for a period not to exceed 20 working days beyond the final determination in the NSP gas rate case, Docket No. G-002/GR-92-1186. In the event, therefore, that the Commission issues its final determination in NSP's gas rate case on the statutory deadline, September 2, 1993, the final determination in the electric rate case will be issued no later than October 1, 1993.

ORDER

1. The period during which NSP's proposed electric rates are suspended is hereby extended for a period not to extend 20 working days beyond the final determination in NSP's gas rate case, Docket No. G-002/GR-92-1186.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)