

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Edward A. Garvey Chair
Joel Jacobs Commissioner
Marshall Johnson Commissioner
LeRoy Koppendrayer Commissioner
Gregory Scott Commissioner

In the Matter of a Petition for Approval of an
Amended and Restated Electric Service
Agreement Between Minnesota Power and
EVTAC Mining

ISSUE DATE: April 16, 1998

DOCKET NO. E-015/M-97-1762

ORDER

After consideration of the above-entitled matter, the Commission adopts the recommendations of the Department initially made in comments filed February 11, 1998 (copy attached) and modified in comments filed March 24, 1998 (copy attached).

In sum, the Commission approves Minnesota Power's Service Agreement with EVTAC Mining filed December 12, 1997 with the following conditions:

1. Approval of the Agreement's demand cap does not affect or waive the Commission's powers over public utility rates under Minnesota law.
2. Approval of the Agreement sets no precedent for potential recovery of revenues lost due to the Agreement.
3. The Commission may at some future date determine the appropriate definition, measure and applicability of stranded costs.

This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)

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