



Daniel P. Wolf, Executive Secretary

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**NOTICE REQUESTING RESPONSE FROM PEOPLES' ENERGY
COOPERATIVE AND OPPORTUNITY TO COMMENT ON DISPUTE**

Issued: March 16, 2015

**In the Matter of a Request for Dispute Resolution with Peoples' Energy Cooperative under
the Cogeneration and Small Power Production Statute, Minn. Stat. §216B.164**

PUC Docket Number: E-132/CG-15-255

Comment Period: Response from Peoples due by April 6, 2015 at 4:30pm

Comment period closes May 6, 2015 at 4:30pm

Comments must be received by 4:30pm on the close date

Comments received after comment period closes may not be considered

Information to be Included in Peoples' Response:

1. Are the statements set out in the Request for Dispute Resolution accurate?
2. Provide copies of the 2014 and 2015 reports filed with the Commission required under Minn. Rules 7835.0300-1100. If not included in those reports or if the reports were not filed, please include all the information outlined in Schedules A through H of the rules.
3. To the extent not included in the answer to #1 above, provide all rate and tariff sheets and all written policies and procedures applicable to cogeneration and small power production facilities and customers that were in effect within the last 12 months, including those currently in effect.
4. Provide copies of any information given to members within the last 12 months through bill inserts, newsletters, the cooperative's website, or other means about the additional facilities fee.
5. Address any additional issues relevant to the Commission's resolution of this dispute.

Topic/s Open for Comment:

- Is the imposition of an additional monthly fee on distributed generation accounts prohibited under Minn. Stat. §216B.164, subd. 3(a) and/or Minn. Rules, Part 7835.3000?
- Is imposition of the fee prohibited, allowed, or otherwise affected by: any other Minnesota statute or rule, order of the Commission, the federal Public Utilities Regulatory Policy Act (PURPA), or federal rules adopted to implement PURPA?
- Address any other issues relevant to the Commission's resolution of this dispute.

Project Background: On March 11, 2015, a member of Peoples' Energy Cooperative (Peoples) filed a request with the Minnesota Public Utilities Commission (Commission) for a resolution of a dispute relating to Peoples' imposition of an additional \$5.00 fee monthly fee on his account because he has an interconnected small wind facility. The member contends that imposition of such a fee on his account, and on all other distributed generation accounts, violates Minnesota statutes and rules with respect to cogeneration and small power production, including but not limited to Minn. Stat. §216B.164, subd. 3(a).

Minn. Stat. §216B.164, subd. 5 and Minnesota Rules, Part 7835.4500, provide that in the case of a dispute between a utility and a qualifying facility, either party may request the Commission to determine the issue; the burden of proof is on the utility.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to file documents using the Commission's electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: mn.gov/puc, select *eFiling*, and follow the prompts.

Submit Public Comments: Visit mn.gov/puc, select *Speak Up!*, find this docket, and add your comments to the discussion.

Persons without Internet access may send by U.S. Mail to Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101-2147. Please include the Commission's docket number in all communications.

Full Case Record: All documents filed in this docket are available at mn.gov/puc, select *Search eDockets*, enter the year (15) and the docket number (255), select *Search*.

Subscribe to the Docket: Receive email notification when new documents are filed in this docket at mn.gov/puc, select *Subscribe to a Docket*, and follow the prompts.

Questions about this docket or Commission process and procedure? Contact Commission staff, Susan Mackenzie, at 651-201-2241 or susan.mackenzie@state.mn.us or Janet Gonzalez, at 651-201-2241 or janet.gonzalez@state.mn.us .

Change your mailing preferences: Email docketing.puc@state.mn.us or call 651-201-2204

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