



December 11, 2023

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 250
St. Paul, MN 55101

VIA E-FILING

RE: In the Matter of Northern States Power d/b/a Xcel Energy's Petition for a Proposed Low Income, Low Usage Program

Xcel Energy's 2011 Electric Rate Case

PUC Docket Number(s): E-002/M-23-476; E002/GR-21-630

Dear Mr. Seuffert:

Enclosed please find the Comments of the Energy CENTS Coalition in the above-referenced matter(s). An Affidavit of Service is also enclosed.

If you have any questions, please call me at (651) 470-4500 or via electronic mail at paym@energycents.org.

Thank you for your consideration.

Sincerely,

Pam Marshall
Interim Executive Director
Energy CENTS Coalition

**State of Minnesota
Before the Public Utilities Commission**

Katie Sieben	Chair
Valerie Means	Commissioner
Matthew Schuerger	Commissioner
Joseph Sullivan	Commissioner
John Tuma	Commissioner

In the Matter of Northern States Power d/b/a
Xcel Energy's Petition for a Proposed Low Income,
Low Usage Program

Docket No. E-002/M-23-476

Xcel Energy's 2011 Electric Rate Case

Docket No. E-002/GR-21-630

Comments of the Energy CENTS Coalition

I. INTRODUCTION

The Energy CENTS Coalition ("ECC") appreciates the opportunity to provide comments in this matter. In these comments, ECC will respond to the Commission's Notice For Comment, issued on November 9, 2023. While ECC will discuss the Notice topics further below, it is ECC's belief that the Commission only needs to accept Xcel Energy's ("Xcel" or "the Company") compliance filing. ECC respectfully submits that no further Commission action is required.

II. TOPIC COMMENTS

- A. Should the Commission accept Xcel Energy's compliance filing regarding its Low Income, Low Usage Program ("LILU" or "the Program")?

In the Company's 2021 rate case, ECC proposed, and the Commission approved, the Company's proposed LILU. In the Order approving the LILU, the Commission stated:

ECC urged approval of its proposed low-income, low-usage discount program as a way to provide direct financial benefits to low-income customers who are least likely to benefit from *other affordability* or energy-efficiency programs. . . . The Commission will therefore require Xcel to implement the low-income, low-usage discount program as proposed by ECC The Company will be

required to submit a program status update on December 1, 2023, and annually thereafter with its electric low-income annual report (emphasis added).¹

Xcel Energy's compliance filing is consistent with both the Commission's Order in the 2021 rate case and with the intent of the program as proposed by ECC. From ECC's perspective, the Commission has already approved Xcel Energy's LILU program. Therefore, ECC respectfully requests the Commission accept Xcel Energy's LILU compliance filing to ensure that the estimated 87,000² low-income Xcel Energy customers will benefit from this discount.

B. Does the LILU meet the requirements of 216B.16 Subd.15 for low-income affordability programs?

In approving the LILU, the Commission did not require that Xcel Energy's proposed discount meet the requirements of §Minn. Stat. 216B.16 Subd. 15. In fact, ECC does not believe that the proposed LILU should, or even could, meet the requirements of Minnesota's low-income affordable utility program statutes.³ As discussed further below, ECC does not believe this statute is relevant to the Commission's determination regarding Xcel Energy's LILU compliance filing.

As discussed earlier, ECC proposed the LILU to mitigate electric rate increases for low-income Xcel customers who *do not* benefit from the programs under §Minn. Stats. 216B.16 Subd. 15 (or Subd. 14). Those statutorily mandated programs purposefully provide relief to those low-income residential customers with the *highest* energy consumption levels and lowest incomes (energy burden).

Because the LILU is designed to provide financial relief to low-income Xcel customers with monthly electric usage below 300 kWh per month, the vast majority of the Company's lowest usage, low-income customers would not even be eligible under the provisions of these statutes.⁴

In other words, ECC did not propose, and the Commission did not approve, an additional affordability program based on, or to comply with, existing statutes. Instead, the Commission approved a discount for those who were least likely to qualify for, or benefit from, existing affordability programs or energy-efficiency programs—precisely *because* their usage was too low. Similarly, the Commission approved Minnesota Power's low-income, low-usage rate discount,⁵ upon which Xcel's proposed LILU is modeled.⁶

¹ Findings of Fact, Conclusions, and Order, Docket No. E-002/GR-21-630, July 17, 2023.

² In The Matter of Northern States Power Company Petition for Proposed Low Income, Low Usage Program Compliance Filing And 2021 Electric Rate Case, Docket No.. E002/GR-21-630, October 17, 2023.

³ §Minn. Stat. 216B.16 Subd. 15 or Subd. 14.

⁴ §Minn. Stats. 216B.16 Subd. 14 states Xcel Energy's electric affordability programs "must be targeted to customers with the lowest incomes and *highest* energy costs (emphasis added)."

⁵ Findings of Fact, Conclusions, and Order, In the Matter of the Application of Minnesota Power for Authority to Increase Rates for Electric Service in Minnesota, Docket No. E-015/GR-21-335, February 28, 2023.

Order Approving Transition from Inverted Block Rate to Time-of-Day Rates, In the Matter of the Petition for Approval of Minnesota Power's Residential Rate Design and In the Matter of Minnesota Power's Compliance Report for its Temporary Rider for Residential Time-of-Day Rate for Participants of the Smart Grid Advance Metering Infrastructure Pilot Project, Docket No. E015/M-20-850/Docket No. E015/M-12-233, August 27, 2021.

⁶ Fair, Direct Testimony, Docket Number E-002/GR-21-630.

The Commission's approval of Minnesota Power's low-income, low-usage discount was not predicated on adherence to, or compliance with, the low-income electric affordability program statute.

ECC believes the Commission approved Xcel Energy's LILU because, by definition and design, the discount does not, and cannot, meet the requirements of §Minn. Stat. 216B.16 Subd.15.

- C. Is Xcel Energy's proposed reporting on the LILU in its annual Low-Income Discount Reports adequate to obtain an understanding of the Program?

In the Company's 2021 rate case, the Commission required Xcel Energy to file a program status update on December 1, 2023, and annually thereafter with its electric low-income annual report.⁷

From ECC's perspective, therefore, this question has been previously determined by the Commission.

ECC believes the Commission's determination regarding LILU reporting is appropriate. It is important for stakeholders to review information regarding Xcel Energy's low-income electric programs in the most efficient manner possible. The inclusion of the entirety of Xcel Energy's low-income electric programs in one docket allows stakeholders with limited resources to comment most effectively on each of the programs included in the Low-Income Discount Reports. In addition, requiring Xcel Energy to report LILU information in the Low-Income Discount Reports does not preclude the Commission from requiring additional information specific to the LILU discount. In other words, a determination about where information is reported is not as important as what information is reported.

ECC respectfully recommends the Commission reaffirm its decision to require Xcel Energy to report on the LILU in its annual Low-Income Discount Reports.

III. CONCLUSION

ECC respectfully requests the Commission:

- 1) Accept Xcel Energy's Low-Income, Low-Usage Compliance Filing
- 2) Affirm that Xcel Energy will provide Low-Income, Low-Usage reporting in the annual Low-Income Discount reports.
- 3) Take no further action.

Respectfully submitted,

December 11, 2023

/s/ Pam Marshall
Interim Executive Director
Energy CENTS Coalition

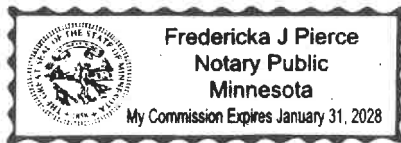
⁷ Findings of Fact, Conclusions, and Order, Order pt. 64, Docket No. E-002/GR-21-630, July 17, 2023.

AFFIDAVIT OF SERVICE

Pam Marshall certifies that on the 11th day of December 2023, she served, by electronic filing, Energy CENTS Coalition's Comments, In the Matter of Northern States Power d/b/a Xcel Energy's Petition for a Proposed Low Income, Low Usage Program, PUC Docket Number(s): E-002/M-23-476 and E002/GR-21-630, to the individuals on the attached service list.

Pam Marshall

Pam Marshall



F. Pierce

Fredricka Pierce

Subscribed and sworn to before me
this 11th day of December 2023

Notary Public

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-476_M-23-476
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_23-476_M-23-476
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_23-476_M-23-476
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_23-476_M-23-476
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-476_M-23-476

[illegible]

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Riley	Conlin	riley.conlin@stoel.com	Steel Rives LLP	33 S. 6th Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Brooke	Cooper	bcooper@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022191	Electronic Service	No	OFF_SL_21-630_Official
George	Crocker	gwillc@nawo.org	North American Water Office	PO Box 174 Lake Elmo, MN 55042	Electronic Service	No	OFF_SL_21-630_Official
James	Denniston	james.r.denniston@xcelen ergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, 401-8 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Richard	Dornfeld	Richard.Dornfeld@ag.state .mn.us	Office of the Attorney General-DOC	Minnesota Attorney General's Office 445 Minnesota Street, Suite 1800 Saint Paul, Minnesota 55101	Electronic Service	No	OFF_SL_21-630_Official
Brian	Edstrom	briane@cubminnesota.org	Citizens Utility Board of Minnesota	332 Minnesota St Ste W1360 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_21-630_Official
Rebecca	Eilers	rebecca.d.eilers@xcelener gy.com	Xcel Energy	414 Nicollet Mall - 401 7th Floor Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
John	Farrell	jfarrell@ilsr.org	Institute for Local Self- Reliance	2720 E. 22nd St Institute for Local Self- Reliance Minneapolis, MN 55406	Electronic Service	No	OFF_SL_21-630_Official
Sharon	Ferguson	sharon.ferguson@state.mn .us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-630_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Lucas	Franco	lfranco@liunagroc.com	LIUNA	81 Little Canada Rd E Little Canada, MN 55117	Electronic Service	No	OFF_SL_21-630_Official
Edward	Garvey	edward.garvey@AESLconsulting.com	AESL Consulting	32 Lawton St Saint Paul, MN 55102-2617	Electronic Service	No	OFF_SL_21-630_Official
Edward	Garvey	garveyed@aol.com	Residence	32 Lawton St Saint Paul, MN 55102	Electronic Service	No	OFF_SL_21-630_Official
Janet	Gonzalez	Janet.gonzalez@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-630_Official
Matthew B	Harris	matt.b.harris@xcelenergy.com	XCEL ENERGY	401 Nicollet Mall FL 8 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Amber	Hedlund	amber.r.hedlund@xcelenergy.com	Northern States Power Company dba Xcel Energy-Elec	414 Nicollet Mall, 401-7 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Adam	Heinen	aheinen@dakotaelectric.com	Dakota Electric Association	4300 220th St W Farmington, MN 55024	Electronic Service	No	OFF_SL_21-630_Official
Katherine	Hinderlie	katherine.hinderlie@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota St Suite 1400 St. Paul, MN 55101-2134	Electronic Service	No	OFF_SL_21-630_Official
Michael	Hoppe	lu23@ibew23.org	Local Union 23, I.B.E.W.	445 Etna Street Ste. 61 St. Paul, MN 55106	Electronic Service	No	OFF_SL_21-630_Official
Geoffrey	Inge	ginge@regintl.com	Regulatory Intelligence LLC	PO Box 270636 Superior, CO 80027-9998	Electronic Service	No	OFF_SL_21-630_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Alan	Jenkins	aj@jenkinsatlaw.com	Jenkins at Law	2950 Yellowtail Ave. Marathon, FL 33050	Electronic Service	No	OFF_SL_21-630_Official
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	150 S. 5th Street Suite 1200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Sarah	Johnson Phillips	sarah.phillips@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Thomas	Koehler	TGK@IBEW160.org	Local Union #160, IBEW	2909 Anthony Ln St Anthony Village, MN 55418-3238	Electronic Service	No	OFF_SL_21-630_Official
Michael	Krikava	mkrikava@taftlaw.com	Taft Stettinius & Hollister LLP	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Carmel	Laney	carmel.laney@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Peder	Larson	plarson@larkinhoffman.com	Larkin Hoffman Daly & Lindgren, Ltd.	8300 Norman Center Drive Suite 1000 Bloomington, MN 55437	Electronic Service	No	OFF_SL_21-630_Official
Annie	Levenson Falk	annief@cupminnesota.org	Citizens Utility Board of Minnesota	332 Minnesota Street, Suite W1360 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-630_Official
Ryan	Long	ryan.j.long@xcelenergy.com	Xcel Energy	414 Nicollet Mall 401 8th Floor Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Kavita	Maini	kmmaini@wi.rr.com	KM Energy Consulting, LLC	961 N Lost Woods Rd Oconomowoc, WI 53066	Electronic Service	No	OFF_SL_21-630_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E St. Paul, MN 55106	Electronic Service	No	OFF_SL_21-630_Official
Mary	Martinka	mary.a.martinka@xcelenergy.com	Xcel Energy Inc	414 Nicollet Mall 7th Floor Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Joseph	Meyer	joseph.meyer@ag.state.mn.us	Office of the Attorney General-RUD	Bremer Tower, Suite 1400 445 Minnesota Street St Paul, MN 55101-2131	Electronic Service	No	OFF_SL_21-630_Official
Stacy	Miller	stacy.miller@minneapolismn.gov	City of Minneapolis	350 S. 5th Street Room M 301 Minneapolis, MN 55415	Electronic Service	No	OFF_SL_21-630_Official
David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022093	Electronic Service	No	OFF_SL_21-630_Official
Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP	33 South Sixth St Ste 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Christa	Moseng	christa.moseng@state.mn.us	Office of Administrative Hearings	P.O. Box 64620 Saint Paul, MN 55164-0620	Electronic Service	No	OFF_SL_21-630_Official
David	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	220 South Sixth Street Suite 1300 Minneapolis, Minnesota 55402	Electronic Service	No	OFF_SL_21-630_Official
Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_21-630_Official

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Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-630_Official
Kevin	Reuther	kreuther@mncenter.org	MN Center for Environmental Advocacy	26 E Exchange St, Ste 206 St. Paul, MN 551011667	Electronic Service	No	OFF_SL_21-630_Official
Amanda	Rome	amanda.rome@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 5 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-630_Official
Joseph L	Sathe	jsathe@kennedy-graven.com	Kennedy & Graven, Chartered	150 S 5th St Ste 700 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Richard	Savelkoul	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	332 Minnesota Street Ste W2750 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-630_Official
Elizabeth	Schmiesing	eschmiesing@winthrop.com	Winthrop & Weinstine, P.A.	225 South Sixth Street Suite 3500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Peter	Scholtz	peter.scholtz@ag.state.mn.us	Office of the Attorney General-RUD	Suite 1400 445 Minnesota Street St. Paul, MN 55101-2131	Electronic Service	No	OFF_SL_21-630_Official
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-630_Official
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	No	OFF_SL_21-630_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Ken	Smith	ken.smith@districtenergy.com	District Energy St. Paul Inc.	76 W Kellogg Blvd St. Paul, MN 55102	Electronic Service	No	OFF_SL_21-630_Official
Joshua	Smith	joshua.smith@sierraclub.org		85 Second St FL 2 San Francisco, California 94105	Electronic Service	No	OFF_SL_21-630_Official
Beth H.	Soholt	bsoholt@windonthewires.org	Wind on the Wires	570 Asbury Street Suite 201 St. Paul, MN 55104	Electronic Service	No	OFF_SL_21-630_Official
Byron E.	Starns	byron.starns@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
James M	Strommen	jstrommen@kennedy-graven.com	Kennedy & Graven, Chartered	150 S 5th St Ste 700 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Eric	Swanson	eswanson@winthrop.com	Winthrop & Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_21-630_Official
Lynnette	Sweet	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_21-630_Official
Thomas	Tynes	jjazynka@energyfreedomcoalition.com	Energy Freedom Coalition of America	101 Constitution Ave NW Ste 525 East Washington, DC 20001	Electronic Service	No	OFF_SL_21-630_Official
Lisa	Veith	lisa.veith@ci.stpaul.mn.us	City of St. Paul	400 City Hall and Courthouse 15 West Kellogg Blvd. St. Paul, MN 55102	Electronic Service	No	OFF_SL_21-630_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Samantha	Williams	swilliams@nrdc.org	Natural Resources Defense Council	20 N. Wacker Drive Ste 1600 Chicago, IL 60606	Electronic Service	No	OFF_SL_21-630_Official
Joseph	Windler	jwindler@winthrop.com	Winthrop & Weinstine	225 South Sixth Street, Suite 3500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official
Cha	Xiong	cha.xiong@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota St. Suite 1400 St. Paul, Minnesota 55101	Electronic Service	No	OFF_SL_21-630_Official
Patrick	Zomer	Pat.Zomer@lawmoss.com	Moss & Barnett a Professional Association	150 S. 5th Street, #1200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-630_Official