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November 6, 2020

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 East Seventh Place, Suite 350
St. Paul, MN 55101-2147

PUBLIC DOCUMENT
Trade Secret Information Has Been Excised

RE: In the Matter of the Formal Complaint and Petition for Relief by Greater Minnesota Gas, Inc. Against CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas

Docket No. G-022, G-008/C-20-795

Comments

Dear Mr. Seuffert:

This is an amendment to CenterPoint Energy's filing of TRADE SECRET Comments from earlier today. We realized that in our final combination of pdf files we inadvertently deleted some information from the Exhibits. The deleted information is included here. In all other ways these Comments are the same.

CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas ("CenterPoint Energy") respectfully submits the attached Comments in the above-captioned matter.

CenterPoint Energy has designated selected information in this document as trade secret. The information meets the definition of trade secret in Minn. Stat. § 13.37, subd. 1(b), as follows: (1) the information was supplied by Company, the affected organization; (2) Company has taken all reasonable efforts to maintain the secrecy of the information, including protecting it from disclosure in this document; and (3) the protected information contains the locations of CenterPoint Energy facilities for delivering natural gas, which derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use.

We have electronically filed this document with your office and the parties on the attached service list. If you have any questions regarding this matter, please contact me at 612-321-4606 or steven.clay@centerpointenergy.com.

Respectfully submitted,

/s/

Steven C. Clay

Senior Counsel

cc: Service List

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

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

In the Matter of the Formal Complaint
and Petition for Relief by Greater Minnesota
Gas, Inc. Against CenterPoint Energy Resources
Corp. d/b/a CenterPoint Energy Minnesota Gas

Docket No. G-022, G-008/C-20-795

COMMENTS

On October 23, 2020 the Minnesota Public Utilities Commission (Commission) issued a Notice requesting comment on the above-styled Formal Complaint (Complaint) filed by Greater Minnesota Gas, Inc. (GMG) against CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas (CenterPoint Energy). The Commission requested Comments on the following topics:

- Does the Commission have jurisdiction over the subject matter of this complaint?
- Is it in the public interest for the Commission to investigate these allegations?
- If the Commission chooses to investigate the complaint, what procedures should be used to do so?
- Do the principles set forth in the Commission's September 19, 2018 Order, in Docket No. G-999/CI-17-499, (Order) regarding the unnecessary duplication of natural gas facilities apply? If so, have the principles set forth under ordering paragraph 2 been met?
- Are there other issues or concerns related to this matter?

CenterPoint Energy respectfully submits these Comments for the Commission's consideration.

CenterPoint Energy has also attached the following Exhibits:

- Exhibit A: Trifecta Truck Stop area with GMG and CenterPoint Energy facilities marked;
- Exhibit B: Wider view of Trifecta Truck Stop area with CenterPoint Energy facilities marked;

- Exhibit C: Hoffman Road area with GMG and CenterPoint Energy facilities marked;
- Exhibit D: Wider view of Hoffman Road area with CenterPoint Energy facilities marked; and
- Exhibit E: 192nd Lane area with GMG and CenterPoint Energy facilities marked.

I. Does the Commission have jurisdiction over the subject matter of this complaint?

The Complaint falls within the Commission's jurisdiction.

II. Is it in the public interest for the Commission to investigate these allegations?

CenterPoint Energy respectfully submits that the public interest would not be served by investigation of these allegations. Certainly, complaints by one regulated utility against another regulated utility are serious and often warrant Commission investigation. Under these facts, however, further investigation would not warrant the strain on limited Commission and Department of Commerce resources, nor would it justify the time and expense burden to the utilities involved.

As discussed in CenterPoint Energy's letter response (Letter) of October 21, 2020 and in the Commission's Notice, GMG has alleged violations of Minn. Stat. § 216B.01 and the Commission's Order regarding unnecessary duplication of facilities to serve another utility's existing customers in three instances. For the Trifecta Tuck Stop, the facts as alleged in GMG's Complaint¹ establish that the customer is not an "existing customer" of GMG. This customer, therefore, is outside the parameters of the Commission's Order, which applies and interprets Minn. Stat. § 216B.01. In the case of the 3625 Hoffman Road customer, it is uncertain whether the site would qualify as an existing GMG customer after the existing home on the site is demolished, but regardless, no construction of facilities to serve the customer has occurred. Indeed, to CenterPoint Energy's knowledge, the customer has yet to request gas service from either utility. Given that there is no factual dispute in these two instances, and that the facts as alleged in the Complaint itself do not show a violation of Minn. Stat. § 216B.01 and the Commission's Order in the competition docket, further investigation of these two instances would serve no public purpose.

Similarly, regarding the customer sites on 192nd Lane, no public purpose would be served by further investigation. The facts of this instance are well-documented, not in dispute and not likely to be developed further by an investigation. As discussed in the Company's Letter, both companies have well-developed gas infrastructure in the area to serve new and existing customers and construction of new facilities would be required of either utility in order to serve

¹ *Formal Complaint and Petition for Relief by Greater Minnesota Gas, Inc. Against CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas for Violations of Minn. Stat. § 216B.01 and Commission Policy*, Docket No. G-022, G-008/C-20-795, Verified Complaint of Greater Minnesota Gas, Inc. and Request for Expedited Action ("Complaint").

the new warehouse building on 192nd Lane. The Company believes that it was necessary and justified under the principle of customer choice to provide service to a new building, situated on a parcel that is not currently served by any utility.

CenterPoint Energy has already offered to stop its extension of service to the existing GMG accounts on 192nd Lane. Given that CenterPoint Energy is not seeking to serve any customer currently served by GMG, there is no further public purpose to be served by a Commission investigation.

III. If the Commission chooses to investigate the complaint, what procedures should be used to do so?

Minn. Stat. § 216B.17 provides the Commission with substantial discretion in choosing whether to investigate a complaint.² As discussed above, CenterPoint Energy does not expect contested facts in this case, and further does not believe that a Commission investigation would serve a public purpose.

IV. Do the principles set forth in the Commission's September 19, 2018 Order, in Docket No. G-999/CI-17-499, regarding the unnecessary duplication of natural gas facilities apply? If so, have the principles set forth under ordering paragraph 2 been met?

The principles set forth in the Commission's Order apply and no unnecessary duplication of facilities has occurred. In its Letter, the Company applied the Commission principles to the facts as alleged in the Complaint. As discussed in the Letter, the Commission's test demonstrates that CenterPoint Energy complied with Minn. Stat. § 216B.01 and the Commission's Order regarding unnecessary duplication of facilities in all three instances alleged by GMG in its Complaint.

V. Are there other issues or concerns related to this matter?

CenterPoint Energy has a substantial presence in the Mankato area. We serve over 12,000 customers in the City of Mankato alone and have nearly 300 miles of main within Mankato, Mankato Township, and North Mankato. Nor is our presence in Mankato new; we have had facilities there since at least 1900.

CenterPoint Energy has had facilities in place along 192nd Lane serving customers since 1974. Each company has well-developed infrastructure in that area, developed over time and pre-existing any of the facts set forth in the Complaint. Given this history, each company has the infrastructure in place to serve both existing and new customers. CenterPoint Energy notes that

² Minn. Stat. § 216B.17 (“[T]he commission shall proceed, with notice, to make such investigation as it may deem necessary.”).

the extent of its new construction to serve the 192nd Lane accounts would have consisted of 1600 feet of main extension, plus service lines to serve two existing commercial buildings and one residence currently served by GMG, plus one new shop building not currently served by any gas utility.

To assist the Commission in understanding the location of CenterPoint Energy's existing facilities around the three areas identified in the GMG complaint, CenterPoint Energy is providing aerial views of the project areas with CenterPoint Energy facilities marked. For Exhibits A, C, and E, CenterPoint Energy added its facilities to images included in GMG's complaint so that the Commission can see both GMG and CenterPoint Energy's facilities together. Exhibits B and D zoom out from what was shown in GMG's complaint to show CenterPoint Energy facilities in neighboring areas.

Exhibit A: Trifecta Truck Stop Area with GMG and CenterPoint Energy Facilities Marked

Docket No. G-022, G-008/C-20-795

November 6, 2020

CenterPoint Energy has designated this entire document as trade secret. The document meets the definition of trade secret in Minn. Stat. § 13.37, subd. 1(b), as follows: (1) the document was supplied by CenterPoint Energy, the affected organization; (2) CenterPoint Energy has taken all reasonable efforts to maintain the secrecy of the document, including protecting it from disclosure in this proceeding; and (3) the document derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

In accordance with Minn. Rule 7829.0500, Subp. 3, CenterPoint Energy furnishes the following description of the document:

Nature of the Material: *PDF, map of Company facilities*

Author: *CenterPoint Energy*

General Import: *This shows CenterPoint Energy facilities in the area that is the subject matter of this filing*

Date the Document was Prepared: *November 5, 2020*

Exhibit B: Wider View of Trifecta Truck Stop Area with CenterPoint Energy Facilities Marked

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General Import: *This shows CenterPoint Energy facilities in the area that is the subject matter of this filing*

Date the Document was Prepared: *November 5, 2020*

Exhibit C: Hoffman Road Area with GMG and CenterPoint Energy Facilities Marked

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Author: *CenterPoint Energy*

General Import: *This shows CenterPoint Energy facilities in the area that is the subject matter of this filing*

Date the Document was Prepared: *November 5, 2020*

Exhibit D: Wider View of Hoffman Road Area with CenterPoint Energy Facilities Marked

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November 6, 2020

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Author: *CenterPoint Energy*

General Import: *This shows CenterPoint Energy facilities in the area that is the subject matter of this filing*

Date the Document was Prepared: *November 5, 2020*

Exhibit E: 192nd Lane Area with GMG and CenterPoint Energy Facilities Marked

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Date the Document was Prepared: *November 5, 2020*

CERTIFICATE OF SERVICE

Erica Larson served the above Comments and Exhibits of CenterPoint Energy to all persons at the addresses indicated on the attached list by having the document delivered by electronic filing.

/s/ _____

Erica Larson
Regulatory Analyst
CenterPoint Energy

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Kristine	Anderson	kanderson@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Lane PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_20-795_C-20-795
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Cody	Chilson	cchilson@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Ln PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_20-795_C-20-795
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_20-795_C-20-795
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_20-795_C-20-795
Brian	Gardow	bgardow@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Ln PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_20-795_C-20-795
Nicolle	Kupser	nkupser@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Ln PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_20-795_C-20-795
Amber	Lee	Amber.Lee@centerpointenergy.com	CenterPoint Energy	505 Nicollet Mall Minneapolis, MN 55402	Electronic Service	No	OFF_SL_20-795_C-20-795
Greg	Palmer	gpalmer@greatermngas.com	Greater Minnesota Gas, Inc. & Greater MN Transmission, LLC	1900 Cardinal Ln PO Box 798 Faribault, MN 55021	Electronic Service	No	OFF_SL_20-795_C-20-795
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_20-795_C-20-795

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-795_C-20-795