



414 Nicollet Mall
Minneapolis, Minnesota 55401

— VIA ELECTRONIC FILING —

October 22, 2013

Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: REQUEST FOR MODIFICATION OF PRIOR ORDER PROVISION
2012-2014 TRIENNIAL NUCLEAR PLANT DECOMMISSIONING ACCRUAL
DOCKET NO. E002/M-11-939; AND
CREDIT MECHANISM FOR A DEPARTMENT OF ENERGY SETTLEMENT
PAYMENT WITH DEFERRED ACCOUNTING
DOCKET NO. E002/M-11-807

Dear Dr. Haar:

Northern States Power Company, doing business as Xcel Energy, submits the enclosed Request for Modification of a Prior Order Provision that was issued by the Minnesota Public Utilities Commission on December 4, 2012 in the above-referenced dockets.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service lists. Please contact me at lisa.h.perkett@xcelenergy.com or (612) 330-6950 if you have any questions regarding this filing.

Sincerely,

/s/

LISA H. PERKETT
DIRECTOR
CAPITAL ASSET ACCOUNTING

ENCLOSURE

c: Service Lists
Interested Parties List

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
David C. Boyd	Commissioner
Nancy Lange	Commissioner
J. Dennis O'Brien	Commissioner
Betsy Wergin	Commissioner

IN THE MATTER OF THE PETITION OF
NORTHERN STATES POWER COMPANY, A
MINNESOTA CORPORATION FOR
APPROVAL OF THE 2012-2014 TRIENNIAL
NUCLEAR DECOMMISSIONING ACCRUAL

DOCKET NO. E002/D-11-939

IN THE MATTER OF A PETITION BY XCEL
ENERGY FOR APPROVAL OF A CREDIT
MECHANISM FOR A DEPARTMENT OF
ENERGY SETTLEMENT PAYMENT WITH
DEFERRED ACCOUNTING

DOCKET NO. E002/M-11-807

**REQUEST FOR MODIFICATION
OF PRIOR ORDER PROVISION**

INTRODUCTION

Northern States Power Company, doing business as Xcel Energy, submits to the Minnesota Public Utilities Commission this request for a modification to one provision of the Commission's December 4, 2012 Order in our 2011 Triennial Nuclear Decommissioning proceeding. In that Order, the Commission approved an annual nuclear decommissioning accrual of approximately \$14.2 million, and approved the Company's proposal to fund the accrual using Department of Energy (DOE) settlement payments. Specifically, Order Point 2 requires the Company "to place the Department of Energy settlement payments for year-end 2012 and 2013 immediately into the decommissioning fund when received."

The 2013 settlement payment we expect to receive in November or December will exceed the 2014 accrual by approximately \$17.5 million. The Commission has used prior settlement monies to either refund those proceeds to our customers or fund decommissioning expenses. Since the settlement proceeds for 2013 are expected to be sufficient to address both considerations, and the Company will be filing a multi-year rate plan including a rate moderation proposal anticipating the

use of the DOE excess settlement funds, we respectfully submit this request so that the Commission has the option for determining the most appropriate way to return these excess funds to our customers, if it so desires. We therefore respectfully request that the Commission modify the December 4 Order to allow the Company to place the excess funds received in 2013 into an external escrow account separate from the decommissioning fund.

A. Background

The DOE settlement payments were considered in our 2011 decommissioning proceeding because there is a direct correlation between the DOE settlement funds, which are related to the federal government's failure to remove spent fuel from our nuclear plant sites, and the intent of the decommissioning study, to ensure adequate funds are available to decommission the nuclear sites and safely store the spent fuel until it is removed. Our initial filing presented two alternatives for using the DOE settlement funds. The first used a portion of the DOE payment to fund the approved decommissioning accrual amount, with the excess being refunded to customers. The second alternative placed the entire DOE payment amounts received in October 2012-2014 into the nuclear decommissioning fund for the Minnesota jurisdiction.

The Commission determined that the year-end 2012 and 2013 settlement payments should fund the corresponding decommissioning accruals. Specifically, Order Point 2 states:

2. The refund requirement set in the December 16, 2011 Order in Docket E002/M-11-807 shall be modified to require Xcel to place the Department of Energy settlement payments for year-end 2012 and 2013 immediately into the decommissioning fund when received.

The October 2012 settlement payment we received exceeded the 2013 accrual by approximately \$1.1 million. The Company placed the excess funds received in 2012, along with the \$14.2 million for the decommissioning accrual, into the decommissioning escrow fund.

In addition, the Commission determined that a decision on the use of the 2014 DOE settlement payment would be made in the Company's next triennial decommission proceeding. Order Points 3 and 4 address the 2014 DOE payment:

3. Xcel shall discuss the year-end 2014 Department of Energy settlement payment in the 2014 decommissioning study, and preserve the funds for consideration in the 2014 decommissioning filing.
4. Immediately after receipt, Xcel shall place the 2014 payment into an external holding account to be held until the Commission determines that the payment should be refunded or deposited into the escrow account. Per its agreement with the Department, Xcel shall track the Department of Energy payments into the decommissioning escrow account against the future decommissioning expenses ultimately assessed by the Commission.

We note that while the subject of this request is treatment of the approximately \$17.6 million in excess funds we will receive in 2013, we expect that our claim against the DOE under the settlement could result in excess funds in 2014 as well. Although the Company and the DOE have not begun discussions regarding the 2014 settlement payment, we currently estimate the 2014 excess to be approximately \$18.2 million.¹ The Commission’s December 4 Order, however, does not require placement of the 2014 DOE payment directly into the decommissioning fund, but instead requires that the entire 2014 payment be placed into a separate external account until the Commission determines how that payment will be used. Consistent with the Order, we propose to place the 2014 DOE payment in a separate account. In addition to developing the record related to use of these funds in our upcoming rate case, we also will be filing our 2014 Triennial Nuclear Decommissioning Study on or before October 1, 2014. This information will provide a full record for the Commission to consider as it determines the most appropriate use of the 2014 DOE payment.

The table below shows the year-end 2012 and the expected 2013 DOE settlement payments, how these payments fund the approved decommissioning accrual in the following year under the Commission’s December 4 Order, and the excess amounts. The table also shows the expected year-end 2014 payment and how this payment would fund the decommissioning accrual for 2015, assuming the Commission approves continued use of the DOE funds for this purpose.

	2012	2013	2014
DOE Payment (in year received)	\$20.6	\$42.6	\$43.6
MN Jurisdiction	\$15.3	\$31.8	\$32.4

¹ As we will explain in detail in our upcoming rate case filing, our rate moderation plan suggests using the excess funds received in 2013 and 2014 to offset the 2015 revenue requirement.

Annual Decommissioning Accrual (to be paid the following year)	\$14.2	\$14.2	\$14.2
MN Jurisdictional Excess	\$1.1*	\$17.6	\$18.2

* The excess amount for 2013 was placed in the nuclear decommissioning escrow fund per the December 4 Order and is not available for refund.

B. Request for Modification of Order Point 2

To be clear, we are not asking the Commission to make a determination on how the excess funds should be used; rather, we are requesting the Commission to set the 2013 excess funds aside to retain options for returning these proceeds to our customers, as appropriate. We therefore request a modification to one provision of the December 4, 2012 Order Point 2, specifically, that the Commission allow the Company to place the 2013 DOE settlement payment in excess of the 2014 accrual amount into an external escrow account separate from the nuclear decommissioning fund.

This modification is needed to allow the Company to mechanically place the 2013 excess funds in a separate escrow account. The Escrow Agreement that defines the parameters for the nuclear decommissioning escrow account does not permit funds in that escrow to be used any other purpose. Modifying the December 4 Order as requested will allow for the 2013 excess to be placed into an account separate from nuclear decommissioning escrow account. We propose to place the excess funds in the separate external escrow account we established in 2011 to deposit and administer the DOE settlement funds according to the requirements in each NSP jurisdiction.

CONCLUSION

For the reasons presented in this filing, we respectfully request that the Commission modify its December 4, 2012 Order to allow the Company to place the 2013 DOE settlement payment in excess of the 2014 accrual amount into an external escrow account separate from the nuclear decommissioning fund. We believe approval of our request is appropriate because:

- As required by the December 4 Order, the 2014 decommissioning accrual will be entirely funded using the 2013 DOE payment.
- The DOE funds in excess of the accrual amount will be placed in an external escrow account while the Commission considers the most

appropriate use of these funds, precluding the Company's use of these funds without further direction from the Commission.

- This treatment preserves the option to use the aggregate excess funds in 2013 and 2014 – approximately \$35.7 million – as part of a rate moderation proposal in our upcoming rate case.

While the Commission considers this request, as soon as we receive the 2013 DOE settlement payment, we will place the 2014 accrual amount of \$14.2 million into the decommissioning fund and will place the excess amount of approximately \$17.6 million into a separate external escrow account.

Dated: October 22, 2013

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