

April 6, 2020

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101-2147

RE: **Comments of the Minnesota Department of Commerce, Division of Energy Resources**
Docket No. E002, E148/SA-20-387

Dear Mr. Seuffert:

Attached are the comments of the Minnesota Department of Commerce, Division of Energy Resources (the Department) in the following matter:

The Joint Request of Northern States Power Company, d/b/a Xcel Energy, and Wright-Hennepin Cooperative Electric Association for approval of a Service Area Compensation and Orderly Transfer Agreement between the two parties.

The petition was filed on March 30, 2020 by:

Bridget Dockter
Manager, Policy & Outreach
Xcel Energy
414 Nicollet Mall, 401 – 7th Floor
Minneapolis, MN 55401

The Department recommends that the Minnesota Public Utilities Commission (Commission) approve the requested service territory agreement. The Commission's maps should be updated by MnGeo to reflect the service area designations as identified in the Agreement. The Department is available to answer any questions the Commission may have.

Sincerely,

/s/ DALE V. LUSTI
Financial Analyst

DVL/ja
Attachment



Before the Minnesota Public Utilities Commission

Comments of the Minnesota Department of Commerce
Division of Energy Resources

Docket No. E002, E148/SA-20-387

I. BACKGROUND

Northern States Power (Xcel Energy) is a Minnesota corporation and a public utility under Minn. Stat. Section 216B.02, subd. 4. Wright-Hennepin Cooperative Electric Association (the Cooperative) is an electric cooperative formed pursuant to the provisions of Minn. Stat. Chapter 308A. The parties, Xcel Energy and the Cooperative have a mutual agreement to modify the border between their exclusive service territories.

II. SUMMARY OF PROPOSAL

On March 30, 2020, Xcel Energy and the Cooperative jointly filed a request (Petition) that the Minnesota Public Utilities Commission (Commission) approve their Service Area Compensation and Orderly Transfer Agreement (Agreement). The Parties' Agreement is attached to the Petition as Schedule A.

According to the Parties, approval of the Agreement will result in the permanent transfer of one lot in Wright County from Xcel Energy to the Cooperative; and the permanent transfer of two lots in Hennepin County from the Cooperative to Xcel Energy.

III. DEPARTMENT ANALYSIS

A. ASSIGNED SERVICE AREA

Minnesota Statutes section 216B.39, subd. (3) states:

... the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing as provided for in sections 216B.17 and 216B.18.

Transfer to the Cooperative from Xcel Energy

Real property located in Section 21 Township 121 Range 28, Southside Township, in Wright County, Minnesota, legally described as follows:

That part of the South Half of the Northwest Quarter of Section 21, Township 121, Range 28, Wright County, Minnesota, described as follows:

Commencing at the southwest corner of said Northwest Quarter;

Thence North 02 degrees 27 minutes 37 seconds West, assumed bearing along the West line of said Northwest Quarter, a distance of 364.48 feet;

Thence North 87 degrees 32 minutes 23 seconds East, a distance of 465.00 feet; thence North 02 degrees 27 minutes 37 seconds West, a distance of 494.38 feet;

Thence South 89 degrees 24 minutes 19 seconds East, a distance of 1257.58 feet;

Thence South 02 degrees 29 minutes 34 seconds East, a distance of 683.12 feet to intersect with the North line of the South 200.00 feet of said South Half, as measured at right angles to the south line thereof;

Thence South 89 degrees 24 minutes 53 seconds East, along said north line a distance of 41.36 feet to the actual point of beginning of the land to be described;

Thence continue South 89 degrees 24 minutes 53 seconds East, along said North line, a distance of 871.08 feet to the East line of said South Half;

Thence South 02 degrees 31 minutes 30 seconds East, along said east line, a distance of 200.30 feet to the southeast corner of said South Half;

Thence North 89 degrees 24 minutes 53 seconds West, along said south line, a distance of 871.19 feet to a line that bears South 02 degrees 29 minutes 34 seconds East from the point of beginning;

Thence North 02 degrees 29 minutes 34 seconds West, a distance of 200.29 feet to the point of beginning.

The above legal description is addressed on pages 9 and 10 of 14 of the Agreement, and maps can be seen on pages 10 and 11 of 14 of the Agreement.

Transfer to Xcel Energy from the Cooperative

Lot 2, Block 4, and Lot 4, Block 3, Bellwether 2nd Addition, Hennepin County, Minnesota.

The above legal description is addressed on page 12 of 14 of the Agreement, and maps can be seen on pages 12 – 14 of 14 of the Agreement.

B. CUSTOMER NOTICE

Schedule B, Pages 1 and 2 of 2 to the Petition, are copies of the Customer Notice provided to the three land owners in the affected areas.

Schedule C to the Petition, is a Proposed Hearing Notice to be sent to the landowners.

C. COMPENSATION

According to the Agreement, the parties agreed that no compensation is due to either Party for the exchange of service areas.

Thus, the Department agrees that the Parties' request is reasonable.

IV. RECOMMENDATION

The Department recommends that the Commission approve the requested service territory transfer. MnGeo should update the Commission's maps to reflect the service area designations as shown on the maps in the Agreement.

/ja

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

Minnesota Department of Commerce
Comments

Docket No. E002, 148/SA-20-387

Dated this **6th** day of **April 2020**

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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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_20-387_SA-20-387
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