

McGRANN SHEA CARNIVAL STRAUGHN & LAMB, CHARTERED  
ATTORNEYS AT LAW

WILLIAM R. MCGRANN  
DOUGLAS M. CARNIVAL  
PETER L. COOPER  
KATHLEEN M. LAMB  
JOHN R. SCHULZ  
BRIAN L. SOBOL  
SCOTT B. CROSSMAN

CARLA J. PEDERSEN  
JOSEPH T. BAGNOLI  
ROGER J. STELLJES  
JEFFREY C. URBAN  
KATHLEEN MICHAELA BRENNAN  
CARL S. WOSMEK  
AMY L. COURT

CHRISTY E. LAWRIE  
KEVIN A. SCHAEKEL  
OF COUNSEL  
ROBERT O. STRAUGHN  
RETIRED  
ANDREW J. SHEA

February 12, 2018

VIA ELECTRONIC FILING

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

Re: In the Matter of the Joint Request of Elk River Municipal Utilities and  
Connexus Energy to Update Electric Service Territory Records  
MPUC Docket: \_\_\_\_\_  
Our File No.: 61739-0002

Dear Mr. Wolf:

I represent Elk River Municipal Utilities (the "Municipal"), which is authorized, on behalf of the Municipal and Connexus Energy (the "Cooperative") (collectively, the "Parties") to make this filing.

Summary of the Joint Request

This filing constitutes the Parties' joint request under Minn. Stat. § 216B.39, subd. 3, that the MPUC modify the Parties' service territory boundaries. This joint request concerns the transfer of an area located within the city limits of Elk River and within the electric service territory assigned to the Cooperative (the "Affected Area"), as further described below.

Legal Authorities

By statute, "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 . . ." Minn. Stat. § 216B.39, subd. 3. In addition, "no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing . . ." Minn. Stat. § 216B.40 (2014). In the present case, the Parties seek to adjust the service territory boundaries to permanently transfer the Affected Area to the Municipal's assigned service territory. The Parties have

February 12, 2018

Page 2

agreed upon appropriate compensation. The Parties request that the Commission update its official records as to electric service territory boundaries.

#### Underlying Information

Attached as Exhibit A is a map that depicts the boundaries of the Affected Area. The Affected Area involves approximately 1,317 acres and 469 customers (448 residential, 21 commercial, and 0 industrial).

The Parties do not have a separate legal description prepared of the Affected Area, but are willing to provide whatever information is helpful and reasonably requested by MnGeo to facilitate the adjustment in the official maps. Specifically, the Parties have a Shape or CAD file of the map attached as Exhibit A.

#### Customer Notice

The Parties engaged in extensive technical discussions, spanning multiple years, to minimize any disruption to customers, to avoid unnecessary duplication of facilities, and to ensure a smooth transition of electric service.

The Parties mutually determined the optimal transition date of September 19, 2017 and arranged the transfer of service. The Parties are pleased to report that the transfer occurred smoothly and without incident. The Parties communicated extensively with the customers in the Affected Area throughout the transition process. A copy of the pertinent notices is attached as Exhibit B. In addition, the Municipal spoke to or met with each affected commercial customer to assure understanding of rates and programs, and to answer any questions.

The Parties acknowledge that the Commission wishes to direct separate notice to customers as to the pending proceeding before the Commission. Attached as Exhibit C is a proposed notice to be sent to all customers in the Affected Area.

#### Contact Information

If there are any questions concerning this filing, you may contact the following representatives:

##### Elk River Municipal Utilities:

Kaela Brennan  
McGrann Shea Carnival  
Straughn & Lamb, Chtd.  
800 Nicollet Mall, Suite 2600  
Minneapolis, MN 55402  
Phone: 612-338-2525  
[kmb@mcgrannshea.com](mailto:kmb@mcgrannshea.com)

##### Connexus Energy:

Sara McGrane  
Felhaber Larson  
220 South 6th Street  
Suite 2200  
Minneapolis, MN 55402-4504  
Phone: 612-339-6321  
Fax: 612-338-0535  
[smcgrane@felhaber.com](mailto:smcgrane@felhaber.com)

February 12, 2018  
Page 3

Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities  
13069 Orono Parkway, P.O. Box 430  
Elk River, MN 55330-0430  
Phone: 763-441-2020  
[tadams@elkriverutilities.com](mailto:tadams@elkriverutilities.com)

Greg Ridderbusch, President and CEO  
Connexus Energy  
14601 Ramsey Blvd  
Ramsey, MN 55303  
Phone: 763-323-2650  
[greg.ridderbusch@connexusenergy.com](mailto:greg.ridderbusch@connexusenergy.com)

Request

The Parties therefore petition the Commission to accept and file these documents and provide due acknowledgment thereof. The Parties further request that the Commission provide evidence of its acknowledgment of these changes of service territory boundaries, and the updating of the official service territory records.

Proposed Service List

A copy of this letter and the accompanying documents has been mailed or emailed to the persons on the enclosed proposed service list.

Please contact the representatives above if you have any questions.

Sincerely,



Kathleen M. Brennan

Enclosures

cc (w/encl.): Proposed Service List

## PROPOSED SERVICE LIST

Re: In the Matter of the Joint Request of Elk River Municipal Utilities and Connexus Energy to Update Electric Service Territory Boundaries  
MPUC Docket: \_\_\_\_\_

### Via Electronic Filing

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

### Via Electronic Filing

Ms. Sharon Ferguson  
MN Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198

### Via Electronic Filing

Julia Anderson  
Office of the Attorney General-DOC  
1800 BRM Tower  
445 Minnesota Street  
St. Paul, MN 55101-2134

### Via Electronic Filing

John Lindell  
Office of the Attorney General-RUD  
1400 BRM Tower  
445 Minnesota Street  
St. Paul, MN 55101-2130

### Via Electronic Mail

Sara Mc Grane  
Felhaber Larson  
220 South 6<sup>th</sup> Street, Suite 2200  
Minneapolis, MN 55402-4504  
[smcgrane@felhaber.com](mailto:smcgrane@felhaber.com)  
(Connexus Energy)

### Via Electronic Mail

Greg Ridderbusch, President and CEO  
Connexus Energy  
14601 Ramsey Blvd  
Ramsey, MN 55303  
[greg.ridderbusch@connexusenergy.com](mailto:greg.ridderbusch@connexusenergy.com)  
(Connexus Energy)

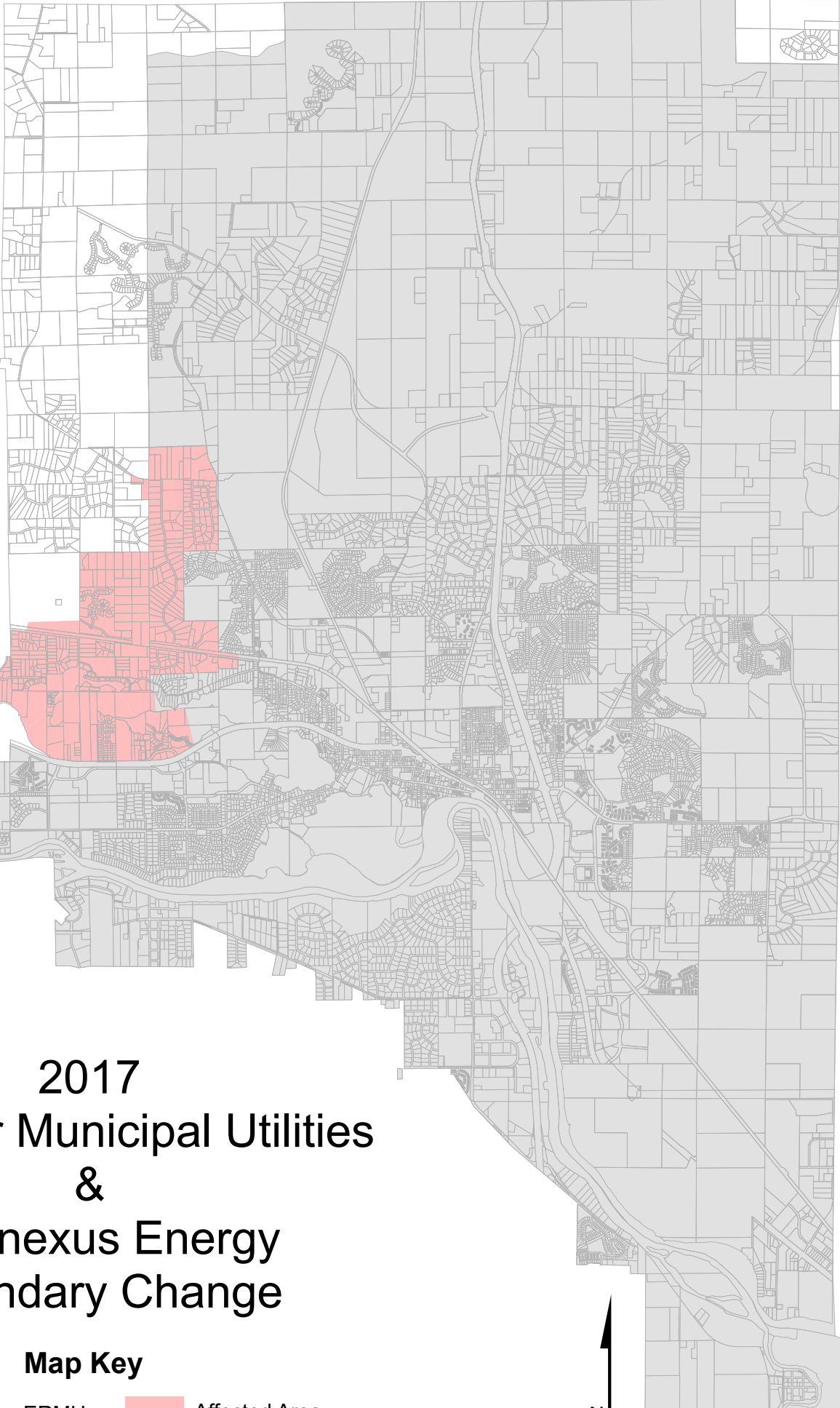
### Via Electronic Mail

Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities  
13069 Orono Parkway  
P.O. Box 430  
Elk River, MN 55330-0430  
[tadams@elkriverutilities.com](mailto:tadams@elkriverutilities.com)  
(Elk River Municipal Utilities)

### Courtesy Copies

Ms. Kathleen M. Brennan  
McGrann Shea Carnival Straughn  
& Lamb, Chartered  
800 Nicollet Mall  
Suite 2600  
Minneapolis, MN 55402-7035  
[kmb@mcgrannshea.com](mailto:kmb@mcgrannshea.com)  
(Elk River Municipal Utilities)

Exhibit A



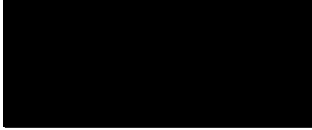
2017  
Elk River Municipal Utilities  
&  
Connexus Energy  
Boundary Change

Map Key

- Existing ERMU
- Affected Area



August 1, 2017



### **Important information about transition from Connexus Energy to Elk River Municipal Utilities Services**

This is to inform you that Elk River Municipal Utilities (ERMU) will soon provide you with electrical service.

ERMU and Connexus Energy (Connexus) have negotiated an agreement that will transfer Connexus customers, within the City of Elk River incorporated boundaries, to ERMU. *The transfer of your service to ERMU will take place in the fall of 2017.*

ERMU will assume all of the services Connexus has been providing such as billing, account management, and electric service concerns. Similar to other Elk River residents and businesses, your electric service will be billed along with your other city services such as water, wastewater, stormwater, franchise, and/or trash.

#### **Frequently Asked Questions**

##### **Will my electric rate change?**

Your electric rates will change, depending on the type of service you have and your usage patterns. Please contact ERMU if you have specific questions.

##### **What will happen to the Cash Back earned by Connexus customers?**

The Cash Back (formerly capital credits) you earned as a Connexus customer do not go away. Connexus' Board of Directors determines the Cash Back payment. When the Board declares Cash Back payable, you will receive your proportional share. You will not earn any additional Cash Back once you become an ERMU customer.

##### **Do I have any choice in which utility services me?**

No. Minnesota State law grants cities the right to serve all customers within their city boundaries.



**Will this changeover cost me any money?**

No. ERMU will not charge any customer a connection fee related to the transition.

**Will I have to read my own meter?**

No. ERMU has a meter reader who will read your meter monthly. The meters will generally be read the first week of the month.

**What do I do if my lights go out or if I have some other problem after the service is transferred to ERMU?**

ERMU has a service technician on call at all hours. If you have a problem, please call 763.441.2020. This phone will be answered 24 hours a day, 7 days a week, by a live representative.

A follow-up notification will be sent out to you with more specific detail closer to the transfer date. ERMU will also be sending information on rates and conservation programs.

If you have any further questions please contact either: ERMU - Tom Sagstetter, Conservation and Key Accounts Manager at 763.635.1332; or Connexus Energy – Nick Loehlein, Manager of System Engineering, Design, & Operations at 763.323.4223.

Sincerely,



Greg Ridderbusch  
Chief Executive Officer  
Connexus Energy



Troy Adams  
General Manager  
Elk River Municipal Utilities



13069 Orono Parkway  
PO Box 430 Elk River, MN 55330

Phone: 763.441.2020  
Fax: 763.441.8099

August 8, 2017

Dear Sir or Madam,

You are receiving this letter because Elk River Municipal Utilities (ERMU) will be providing your electric service at \_\_\_\_\_ starting in the fall of 2017. I would like to welcome you as a customer of ERMU and reassure you that our staff is working hard to make this transition as seamless as possible. ERMU is owned by the customers we serve and we look forward to the opportunity to serve you with electric utility service.

As an Elk River resident, you may already receive a monthly bill from ERMU for water service and/or city services. Once the transfer from Connexus Energy (Connexus) to ERMU is complete, the electric service will also be included on your monthly billing statement. Bills typically get mailed the 3<sup>rd</sup> or 4<sup>th</sup> week of the month and are always due the 15<sup>th</sup> of the following month.

If you are currently participating in a budget program with Connexus, this will not transfer over to your account with ERMU. Please contact customer service at 763-441-2020 to be set up on a budget plan with ERMU. If you currently have your payment automatically deducted from an account to pay your Connexus bill, this will not transfer to your account with ERMU. If you have other services through ERMU that are paid by automatic bank draft, your electric service will automatically be added to bank draft. Contact ERMU customer service at 763-441-2020 with any questions or changes regarding automatic bank draft payments.

You can make phone payments by calling our automated system: 1-855-730-8706. You can also make one-time payments or set up recurring payments with a checking account or credit card online. There is no fee to pay via credit card. If you'd like to utilize that option, please visit [www.elkriverutilities.com](http://www.elkriverutilities.com); click Residential, then Pay Bill or Manage Account. You may also sign up for automatic bank draft by completing a form and attaching a voided check.

Enclosed for your convenience you will find a Residential Information Sheet, Automatic Bill Payment form, Acquisition FAQ Sheet, Appliance Rebate Form, and LED and CFL coupons.

You will soon be receiving a letter containing the date and time your service will transfer from Connexus to ERMU. If you currently participate in a load management program, you will also be receiving a letter detailing the program you will join with ERMU.





Please do not hesitate to contact Tom Sagstetter, Conservation and Key Accounts Manager at 763-635-1332 or Customer Service at 763-441-2020 with any questions or concerns you may have regarding this transition. We look forward to serving you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Troy Adams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities



# Elk River Municipal Utilities

13069 Orono Parkway  
PO Box 430 Elk River, MN 55330

Phone: 763.441.2020  
Fax: 763.441.8099

8/8/2017

«Name»  
«Mailing»  
«City», «State» «Zip»

Dear Sir or Madam:

You are receiving this letter because Elk River Municipal Utilities (ERMU) will be providing your electric service at «Service\_Address» starting in the fall of 2017. I would like to welcome your company as a customer of ERMU, and reassure you that our staff is working hard to make this transition as seamless as possible. ERMU is owned by the customers we serve, and we look forward to the opportunity to serve you with electric utility service.

Key Facts about ERMU:

1. We are a publicly owned, not for profit electric and water utility company. We are owned by the communities (customers) we serve.
2. We are ranked in the top 10% of all public power utilities in the United States based on proficiency in four key areas; electric reliability, safety, workforce development, and system improvements.
3. Electric reliability is critical for business customers. ERMU has an average service availability index of 99.994%. That is equivalent to a loss of service once every five years.
4. ERMU is a major part of “Energy City” and works with local businesses to implement environmentally sustainable practices that focus on preserving natural resources while minimizing the impacts to the bottom line.

The ERMU mission is to provide our customers with safe, reliable, cost effective and quality long term electric and water utility service. ERMU has created many opportunities for you to learn about energy and water conservation.

Key Resources that ERMU offers:

1. ERMU offers rebates for high efficient electrical equipment (lighting, HVAC equipment, energy management systems) Rebates provide the opportunity for cash back and energy cost savings. **You will be eligible to apply for rebates on qualifying purchases in 2018.**
2. Free monthly online newsletter that focuses on how to control energy costs.
3. Free walk-through audits by ERMU staff; or rebates for professional whole building systems audits.

4. Resources for re-commissioning existing buildings and design/build rebates for new structures.
5. Our website is a great resource for information about energy savings and rebates:  
[www.elkriverutilities.com](http://www.elkriverutilities.com)

As your business is located in Elk River, you may already receive a monthly bill from ERMU for water service and city sewer service. Once the transfer from Connexus Energy (Connexus) is complete, the electric service will also be included on your monthly billing statement. If you currently have your payment automatically deducted from an account to pay your Connexus bill, this will not transfer to your account with ERMU. If your other services through ERMU are paid by automatic bank draft, your electric service will be automatically added to bank draft. Contact ERMU with any questions or changes regarding automatic bank draft payments.

You can make phone payments by calling our automated system: 1-855-730-8706. You can also make one-time payments or set up recurring payments with a checking account or credit card online. There is no fee to pay via credit card. Visit [www.elkriverutilities.com](http://www.elkriverutilities.com); click Commercial, How to Pay Your Bill, then Pay Bill or Manage Account.

Enclosed for your convenience you will find a Commercial Rate Sheet, Commercial Rebate & Grant Programs brochure and Acquisition FAQ Sheet.

Someone from our office will be contacting you to coordinate the transfer of service from Connexus to ERMU. There will be a short outage for the switch over and we want to work with you to minimize the impact to your business.

Please do not hesitate to contact Tom Sagstetter, Conservation and Key Accounts Manager at 763-635-1332 with any questions or concerns you may have regarding this transition. We look forward to serving you.

Sincerely,



Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities



# Elk River Municipal Utilities

13069 Orono Parkway  
PO Box 430 Elk River, MN 55330

Phone: 763.441.2020  
Fax: 763.441.8099

August 22, 2017

«Name» «Name\_2»  
«Street\_» «Street»  
«City», «State» «Zip»

Dear «Name»:

You are receiving this letter because you will soon be receiving your electric service from Elk River Municipal Utilities (ERMU) at «Service\_House\_» «Service\_Street» and you currently participate in a load management program through Connexus Energy (Connexus). We have analyzed your account and determined the load management program(s) you will be placed into with ERMU is/are: «Program».

We want to ensure that you will be billed correctly, and our determination of your rate is based solely on reviewing data about your current account with Connexus. In some cases, depending on the load management program, ERMU will have to work to update your electric services to fit into our program's specifications. This will be completed by a licensed contractor at no cost to you. If this is the case, we will contact you to discuss and coordinate the work to be done.

ERMU and Connexus have similar load management programs but there are some differences. We will work hard to put you in the most comparable rate/program that provides the best fit for your needs. The following is a brief description of each residential load management program that ERMU currently offers. ERMU will be transitioning away from direct load control programs in 2018. You will receive additional communication regarding the transition plan as the programs are finalized.

**Cycled Air Conditioning:** This program is available to ERMU customers who have a qualifying central air conditioning unit, ASHP, or GSHP of at least 2 tons capable of being interrupted with a 5 amp relay. Customers receive a \$3 per month credit for 5 summer months in 2018. This program does not require a separate meter. Except for extreme emergencies, duration of controlled usage will not exceed 6 hours per day and more than 200 hours total per cooling season. Systems are not controlled on weekends or holidays.

**Dual Fuel Space Heating:** This program is available to residential customers who have a dual fuel space heating system consisting of a primary electric heating system and a secondary non-electric space heating system such as propane or natural gas, both capable of heating the entire living space at design conditions. Interruptions of the primary system will usually occur for up to 12 hours daily on peak winter days and a maximum of 400 hours per heating season. All electric energy consumed by the primary electric heating system will be billed at Dual Fuel rate. Systems are not controlled on weekends or holidays.

**Electric Thermal Storage (ETS) Space Heating:** This program is available to customers who have an ETS space heating system that stores heat produced by electricity generated during eight off-peak hours (weekdays 11 PM – 7 AM) for use in heating during the remaining on-peak hours daily. This heating system may be a central storage furnace, room storage heater, or slab (deep heat) system that must be capable of interruption by a single 5 amp rated relay. All electric energy consumed by this ETS system will be billed at the Energy Storage rate. Systems are not controlled on weekends or holidays.



Electric Thermal Storage (ETS) Water Heating: This program is available to customers who have an ETS water heater with an energy factor of .91 or more and a minimum of 80 gallons of storage capacity. An ETS water heater is designed with extra storage capacity to provide total domestic hot water needs from electricity consumed only during eight off-peak hours daily (weekdays 11 PM – 7 AM). System must be capable of direct interruption by a single 30 amp rated relay. All electric energy consumed by this ETS water heater will be billed at the Energy Storage rate. Systems are not controlled on weekends or holidays.

For more detailed rate and program information, please refer to the ERMU tariff sheets on our website:

<http://www.elkriverutilities.com/pages/tariff-sheets>

We are here to assist you through this transition and are available to help you with any questions or concerns you may have regarding changes in your energy program(s).

Sincerely,



Tom Sagstetter  
Conservation and Key Accounts Manager  
763-635-1332



**Elk River  
Municipal Utilities**

13069 Orono Parkway  
PO Box 430 Elk River, MN 55330

Phone: 763.441.2020  
Fax: 763.441.8099

September 6, 2017

«Name»  
«Mailing»  
«City», «State» «Zip»

Dear Customer,

As of September 19, 2017, your property at «Service\_Address» will officially be served by Elk River Municipal Utilities (ERMU) for your electric service. Between 9:00 and 10:00 A.M., you will experience an interruption of service that should be less than 60 minutes. This interruption is necessary to safely implement the transfer from the Connexus Energy (Connexus) distribution system to the ERMU system. ERMU and Connexus crews will work hard to ensure the outage is as brief as possible. *The date and time could be subject to change depending on weather conditions and other factors.*

Once the system transfer is complete our meter technicians will be working to change out your existing meter for an automated meter. This technology will save time, reduce the risk for reading errors and will allow ERMU to read your meter from the road. At the time your meter gets changed, there is a possibility of a momentary interruption of service as well. Around the time of the meter upgrade a reusable bag with an LED bulb will be left by your door as a welcome gift from ERMU.

It is important to note that you will receive two partial bills for your September electric usage. One bill will come from Connexus for the billing period up to September 19, 2017. The other bill will come from ERMU for usage from September 19, 2017 to the routine monthly meter reading in early October.

We look forward to providing you with electric utility service. If you have any questions or concerns regarding this transition, please contact our office at 763-441-2020.

Best Regards,



Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities





13069 Orono Parkway • P.O. Box 430  
Elk River, MN 55330-0430

Phone: 763.441.2020  
[www.elkriverutilities.com](http://www.elkriverutilities.com)

Dear Sir or Madam:

I would like to welcome you as a customer of Elk River Municipal Utilities!

Along with providing electric and water services to parts of Elk River, there are many other programs we provide that could save you money and conserve energy and/or water. Please contact our office at 763-441-2020 or check out our website at [www.elkriverutilities.com](http://www.elkriverutilities.com) to find brochures and forms regarding any of the following programs that we offer (not all may apply to your service area).

- **Energy Star Appliance Rebates**
- **LED and CFL Lightbulb Coupons**
- **Water Conservation**
- **Wind Power**
- **How To Pay Your Bill**

Please do not hesitate to contact our office at 763-441-2020 if you have any questions about Elk River Municipal Utilities or any of the services we provide.

Best Regards,

Troy Adams, P.E.  
General Manager  
Elk River Municipal Utilities





13069 Orono Parkway • P.O. Box 430  
Elk River, MN 55330-0430

Phone: 763.441.2020  
www.elkriverutilities.com

February \_\_, 2018

Re: Notice of Minnesota Public Utilities Commission Proceeding  
MPUC Docket No: \_\_\_\_\_

Dear Customer:

As you know, Elk River Municipal Utilities (ERMU) recently began providing your electric service. Before this transition, Connexus Energy served the area where you are located. The utilities are in the process of formally updating the electric service maps on file with the Minnesota Public Utilities Commission (MPUC) to reflect that ERMU is the electric service provider. This letter provides information concerning that proceeding before the MPUC.

The MPUC is a state agency with jurisdiction over electric service territory boundaries. The MPUC requires that all customers located in an area involved in a change in the service territory maps be formally notified of the proceeding in which the service territory maps will be approved. This letter provides that formal notice.

If you wish to address the MPUC concerning this change in maps, you may contact the MPUC Consumer Affairs Office at: 121 Seventh Place E., Suite 350, Saint Paul, Minnesota 55101, [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us), or call 651-296-0406. You should reference MPUC Docket No. \_\_\_\_\_. It is completely optional and voluntary to contact the MPUC.

ERMU values your business and will continue to strive to provide the highest quality service. Please contact me if you have any questions.

Respectfully,

Troy Adams, P.E.  
General Manager

