



505 Nicollet Mall  
PO Box 59038  
Minneapolis, MN 55459-0038

January 29, 2021

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

**RE: In the Matter of the Petition of CenterPoint Energy Minnesota Gas for Approval of a Variance from Minnesota Rule 7820.5300 DETERMINATION OF DELINQUENCY Related to its Automatic Bank Draft Plan for Customer-Selected Due Dates**

**Docket Nos. G-008/M-21-\_\_\_\_, G-008/M-15-397**

Dear Mr. Seuffert:

On December 12, 2005, the Minnesota Public Utilities Commission (“Commission”) approved the request of CenterPoint Energy Minnesota Gas (“CenterPoint Energy” or the “Company”) for a variance from Minnesota Rule 7820.5300, subp. 2. Minnesota Rule 7820.5300 requires that the due date printed on customer bills will not be greater than five days from the next scheduled billing date. CenterPoint Energy’s request for variance was related to its AutoPay program (formerly known as the Automatic Bank Draft and as approved in Docket No. G-008/M-14-753), which allows customers to select their own due date; some customers have chosen due dates which are greater than five days before the next scheduled billing date. CenterPoint Energy’s variance request was most recently re-approved for a six-year extension in Docket No. G-008/M-15-397 and will expire in 2021.

As part of the Company’s original filing in Docket No. G-008/M-15-397, requesting extension of the variance, we agreed to provide annual compliance filings including:

1. The total number of customers participating in the AutoPay program;
2. The number of customers who choose a due date greater than five days from their billing date;
3. How many customers drop off the AutoPay program annually and their reasons for their departure; and
4. Number and nature of complaints received each year regarding the AutoPay program.

In this filing CenterPoint Energy provides the required information. The Company also requests an indefinite extension to its variance and a discontinuation of these annual compliance filings. If the Commission denies the Company’s request for an indefinite extension the Company requests another six-year extension of the variance as an alternative.

If you have any questions, please contact me at (612) 393-6216 or [Seth.DeMerritt@CenterPointEnergy.com](mailto:Seth.DeMerritt@CenterPointEnergy.com).

Sincerely,

/s/ Seth DeMerritt

Seth DeMerritt  
Manager, Regulatory Affairs

C: Service List

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

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

Katie Sieben  
Valerie Means  
Matt Schuerger  
Joseph Sullivan  
John Tuma

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of a Petition by CenterPoint Energy  
Minnesota Gas for Approval of a Variance from  
Minnesota Rule 7820.5300 DETERMINATION  
DELINQUENCY Related to its Automatic Bank  
Draft Plan for Customer-Selected Due Dates

Docket Nos. G-008/M-21-\_\_\_\_  
G-008/M-15-397

**PETITION AND ANNUAL COMPLIANCE FILING**

**Introduction**

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Minnesota Gas, (“CenterPoint Energy” or the “Company”) respectfully submits the following Petition to the Minnesota Public Utilities Commission (“Commission”) for an indefinite variance from Minnesota Rule 7820.5300 related to its AutoPay program (formerly known as the Automatic Bank Draft and as approved in Docket No. G-008/M-14-753), or, in the alternative, a six-year extension of its current variance from the Rule. CenterPoint Energy also provides the following information in accordance with our initial filing in Docket No. G-008/M-15-397:

1. The total number of customers participating in the AutoPay program;
2. The number of customers who choose a due date greater than five days from their billing date;
3. How many customers drop off the AutoPay program annually and their reasons for their departure; and
4. Number and nature of complaints received each year regarding the AutoPay program.

Finally, the Company requests to discontinue annual reporting related to this program.

**I. Summary of Filing**

A one-page summary is attached to this filing pursuant to Minn. R. 7829.1300, subp. 1.

**II. Service on Other Parties**

Pursuant to Minn. R. 7829.1300, subp. 2, the Company has served a copy of this filing on the Department of Commerce and the Office of the Attorney General – Residential Utilities and

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Antitrust Division. A summary of this filing has been served on all parties on the enclosed service lists.

### **III. General Filing Information**

Pursuant to Minn. R. 7829.1300, subp. 3, the Company provides the following information.

#### **A. Name, Address, and Telephone Number of Utility**

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Minnesota Gas,  
a Delaware Corporation  
505 Nicollet Mall  
PO Box 59038  
Minneapolis, Minnesota 55402  
(612) 372-4664

#### **B. Name Address, and Telephone Number of Utility Attorney**

Steven C. Clay, Senior Counsel  
505 Nicollet Mall  
Minneapolis, Minnesota 55402  
(612) 321-4606  
Steven.Clay@centerpointenergy.com

#### **C. Date of Filing and the Date the Proposed Rate or Service Change Will Take Effect**

Date Filed: January 29, 2021  
Effective Date: Upon Commission Approval

#### **D. Statute Controlling Schedule for Processing the Filing**

CenterPoint Energy is unaware of any statute or rule that controls the timeframe for processing this filing.

#### **E. Utility Employee Responsible for Filing**

Seth DeMerritt  
Manager, Regulatory Affairs  
(612) 393-6216  
Seth.DeMerritt@centerpointenergy.com

**F. Description of the Filing, Its Impact on Rates and Services, Its Impact on Any Affected Person, and the Reasons for the Filing**

This filing would continue to allow the Company to operate its AutoPay program which allows customers to select a due date for their bill which may be more than five days before the next scheduled billing date.

**IV. Miscellaneous Information**

CenterPoint Energy requests that the following employees be included in the service list for this proceeding.

Amber S. Lee  
CenterPoint Energy  
505 Nicollet Mall  
PO Box 59038  
Minneapolis, MN 55459-0038  
Amber.Lee@centerpointenergy.com

Erica Larson  
CenterPoint Energy  
505 Nicollet Mall  
PO Box 59038  
Minneapolis, MN 55459-0038  
Erica.Larson@centerpointenergy.com

Seth DeMerritt  
CenterPoint Energy  
505 Nicollet Mall  
PO Box 59038  
Minneapolis, MN 55459-0038  
Seth.Demerritt@centerpointenergy.com

**V. Request for Variance**

CenterPoint Energy is requesting an indefinite variance as the Company has been operating under a variance since 2005 and there have been few complaints related to the program. In the response to the Company's last request for variance, the Department of Commerce noted in their comments that "experience with the program has not revealed unintended adverse consequences due to the variance," and no party has expressed any concerns in response to annual program compliance filings since that time. CenterPoint Energy notes that this is a customer payment choice program which continues to grow. In particular, the Company notes that in this filing it has reported no complaints related to the substance of Minnesota Rule 7820.5300 regarding customer-selected payment withdrawal dates. Since the customer selects the payment date, and if no date is selected by the customer the Company-selected date complies with the rule, there is no possibility of adverse consumer impact from the indefinite variance. The Commission could

end or place time limits or other conditions upon the variance should any issues surface in the future.

Additionally, CenterPoint Energy proposes to discontinue the previously required annual report concerning its AutoPay program. The reports filed in Docket G008/M-15-397, have received no comments, and the Company believes there are no concerns regarding these reports. Once again, the Commission could end or place time limits or other conditions upon the variance should any issues surface in the future.

Minnesota Rules 7829.3200 OTHER VARIANCES states that a Rule may be varied if three conditions are addressed to the satisfaction of the Commission. These three conditions are:

1. *Enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule*

Enforcement of the rule imposes an excessive burden on customers since printing a Withdrawal Date and a Due Date on bills would be confusing. This would also pose a burden on CenterPoint Energy for programming costs related to changing the CCS billing system to display both a Withdrawal Date and Due Date.

2. *Granting the variance would not adversely affect the public interest*

Granting of the proposed variance request would not adversely affect the public interest since this is a voluntary program. If a customer has chosen a due date, the customer has thereby consented to a due date that might be more than 5 days before the customer's next billing date. However, and more importantly, there is no change to when CenterPoint Energy will impose late payment charges. Thus, the true intent of the rule is not diminished.

3. *Granting the variance would not conflict with standards imposed by law*

CenterPoint Energy is not aware of any laws that would be violated by granting this variance.

## **VI. Annual Report**

CenterPoint Energy provides annual compliance report information below.

- A. *The number of customers participating in AutoPay:*

325,482 participants as of December 2020.

B. *The number of customers who choose a due date greater than five days from their billing date:*

20,532 customers.

C. How many customers drop off AutoPay annually and their reasons for departure:

30,585 customers dropped in 2020.

Customers drop the program for the following reasons:

Customer Dissatisfaction

Customer Moves

Customer Request (no specific reason stated)

Non-Sufficient Funds

D. Number and nature of complaints received each year regarding AutoPay:

76 complaints were noted.

Breakdown of complaints:

<b><i>Frequency</i></b>	<b><i>Type of Complaint</i></b>
16	Enrollment issues

36	Application of payments/withdrawals
24	Changing banks, account numbers

## **VII. Conclusion**

For all of the above reasons, CenterPoint Energy respectfully requests that the Commission issue an Order approving an indefinite variance under and to Minnesota Rule 7829.3200, Subp. 2, thereby allowing CenterPoint Energy to continue to offer, in its current format, its AutoPay program. In the alternative, the Company requests that the Commission grant another six-year variance. The Company also requests to discontinue annual reports on the AutoPay program.



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G-008/M-15-397

**PETITION**

**Summary of Filing**

This petition requests Minnesota Public Utilities Commission approval of a continued variance from Minnesota Rules related to the printing of Due Dates on customer bills. CenterPoint Energy offers customers a payment plan called AutoPay. This plan allows customers to select the date when funds are withdrawn from their account to pay their CenterPoint Energy bill. The date of withdrawal is printed on their bill as the Due Date, which could result in a due date printed on a customer bill that, in some cases, is more than five days before the next scheduled billing date, which is contrary to Minnesota Rule 7820.5300, subpart 2. In the alternative, CenterPoint Energy requests a six-year extension of the variance to allow for operation of AutoPay. The Company also requests to discontinue annual reports on the AutoPay program.

**CERTIFICATE OF SERVICE**

Wakila Johnson served the above Petition of CenterPoint Energy to all persons at the addresses indicated on the attached list by having the document delivered by electronic filing.

/s/ \_\_\_\_\_  
Wakila Johnson  
Regulatory Support  
CenterPoint Energy