



**NOTICE OF SUPPLEMENTAL COMMENT PERIOD ON POSSIBLE  
DISTRIBUTED GENERATION SUBCOMMITTEE UNDER MINN. STAT.  
§216A.03, SUBD. 8**

*Issued: July 6, 2017*

**In the Matter of a Commission Inquiry into the Creation of a Commission Subcommittee under  
Minn. Stat. §216A.03, subd. 8.**

**PUC Docket Number: E999/CI-17-284**

**Comment Period:** Supplemental comment period closes July 21, 2017 at 4:30pm

*Comments must be received by 4:30pm on the close date*

*Comments received after comment period closes may not be considered*

**Topic/s Open for Comment:**

- Parties can review supplemental staff responses to comments and provide final comment in this docket. See Attachment for further topics open for comment.

**Project Background:** On April 17, 2017, the Commission issued a comment period and possible staff proposal on a DG subcommittee. The Commission received initial comments on May 22, 2017 and reply comments on June 2, 2017. A number of the commenters raised concerns about the proposal. Staff offers additional responses and proposals in Attachment A-1.

**Filing Requirements:** Utilities, telecommunications carriers, official parties, and state agencies are **required** to file documents using the Commission’s electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: [mn.gov/puc](http://mn.gov/puc), select *eFiling*, and follow the prompts.

**Submit Public Comments:**

- *If you wish to include an exhibit, map or other attachment, please send your comments via U.S. Mail*
- email comments to [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us). Please include the Commission’s docket number

- U.S. Mail to Public Utilities Commission, 121 7<sup>th</sup> Place East, Suite 350, St. Paul MN 55101. Please include the Commission's docket number in all communications.

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**Full Case Record:** See all documents filed in this docket via the Commission's website - [mn.gov/puc](http://mn.gov/puc), select *Search eDockets*, enter the year (17) and the docket number (284), select *Search*.

**Questions about this docket or Commission process and procedure?** Contact Commission staff, Michelle Rebholz, at [michelle.rebholz@state.mn.us](mailto:michelle.rebholz@state.mn.us) or 651-201-2206.

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## **Attachment A-1: Further Options, for Consideration**

### **Additional Work that Could be Delegated to Subcommittee**

Several commenters asked for further details on work that could be delegated to the proposed subcommittee. Staff offers the following options: objections to interventions in non-contested cases, requests for ALJs for discovery disputes, and requests for the OAH to conduct public hearings. Staff requests comments on these options.

### **Create the Subcommittee as a Pilot, With Evaluation**

Xcel suggested that evaluations be performed on the subcommittee. One option is to create the subcommittee for only a period of 18 months, with the requirement that it end unless the Commission affirmatively decides to continue it beyond 18 months in a subsequent order. Staff suggests 18 months in order to allow the time for a full 12 months of evaluation. Staff requests comment on this option.

### **Do Not Create a Subcommittee, and Post Additional Details on Complaints**

DEA suggests that the Commission instead report complaint information on its website. Staff notes that the Commission's rules already require utilities to file public complaint information with the Commission, annually, pursuant to Minnesota Rules 7820.0500. Staff requests comment on the option that the Commission revise its annual complaint form that utilities use, in order to separate out and provide more description on complaints involving DG as part of the reporting requirement in Minn. Rule 7820.0500, subp. B. Staff notes that under the data practices act, the identity of a complainant contacting the Commission or Department is nonpublic and only topics or general issues not involving persons' identities could be disclosed.

### **Adopt Processes Used by Other State Commissions**

Some commenters suggested that this Commission look to the complaint processes used by other state commissions. The Iowa Utilities Board authorizes its complaint staff to issue resolution letters to customers and utilities. The Commission's Rules on CAO do not preclude this approach, allowing staff to process informal complaints by "correspondence, mediation, arbitration, and other informal means." See Minn. Rule 7829.1600. The IUB allows either the customer or utility, if dissatisfied with staff's proposed resolution, to appeal to the Board for a decision by the Commissioners. Staff requests comments on this option or similar options.

### **Stakeholder Advisory Group**

Some state and federal agencies use advisory groups to ensure their stakeholders have input into the agency's processes and operations. Another option, in lieu of or in addition to a subcommittee, is for the Commission to receive input from a stakeholder advisory group. Due to the Commission's quasi-judicial nature, the advisory group could only provide input on issues like the Commission's complaint processes, scheduling, resource allocation, and similar issues that do not involve substantive determinations of law or policy. Staff requests comments on this option.