

The Commission met on **Thursday, September 5, 2019** with Chair Sieben and Commissioners Lipschultz, Means, Schuerger, and Tuma present.

The following matters were taken up by the Commission:

E-002/M-18-643

In the Matter of Xcel Energy’s Petition for Approval of Electric Vehicle Pilot Programs

Commissioner Lipschultz moved that the Commission deny the request for reconsideration, deny the requested stay, and approve Xcel’s modified tariff pages from its August 16, 2019 compliance filing.

The motion passed 5–0.

E-015/M-19-337

In the Matter of Minnesota Power’s Petition for Approval of its Electric Vehicle Commercial Charging Rate Pilot

Commissioner Lipschultz moved that the Commission:

1. Approve Minnesota Power’s proposed Electric Vehicle Commercial Charging Tariff Pilot (the Pilot) with modifications.
2. Adopt, without prejudice toward any future Commission decision on Minnesota Power’s Residential Time-of-Day Rate Design, the following rate design for the Commercial EV Rate Pilot:
 - A. On-Peak – 3:00 PM to 8:00 PM weekdays,
 - B. Off-Peak – all times other than Peak or Super Off-Peak,
 - C. Super Off-Peak – 11:00 PM to 5:00 AM.
3. Require Minnesota Power to file a proposal for a replacement program within 30 months of the order approving the pilot.
4. Require Minnesota Power to provide reports on an annual basis, on the date of the Commission’s order, in this docket, based on the information it has after making commercially reasonable efforts to acquire the relevant information. Require Minnesota Power to provide the most recent annual report as an attachment to any future Transportation Electrification Plans, if such plans are ordered by the Commission. Where applicable, include data in spreadsheet (.xlsx) format.
 - A. Program level
 - i. For fleets, participation over time:

1. Number of fleets
 2. Number of vehicles
 3. Number of ports
 - ii. For public charging, participation over time:
 1. Number of site hosts
 2. Number of ports
 - iii. End-user satisfaction, including surveys of fleet electric vehicle drivers and transit users riding electric buses
 - iv. Publically accessible information on site host characteristics
 - v. Customer charging behavior in response to rate structure
- B. Site level, annual
- i. Whether the participant is a fleet or public charger
 - ii. Location of the site
 - iii. Number of ports at the site, and individual port capabilities
 - iv. Costs
 1. Program implementation
 2. Installation costs, including meter programming
 3. Customer service and technical assistance needs
 4. EV Demand Credit
 5. Any other costs not reflected in the list above
 - v. Revenues, broken down by:
 1. Energy revenues
 2. Demand charge revenues
 3. Fixed cost revenues
 4. Whether the customer elected to charge with renewable energy
 5. If the customer is providing public charging, rates and fees charged to end user customers, and if those rates changed during the year, what period they were in effect
 6. Average \$/kilowatt-hour (kWh) and respective percentile rank within General Service Demand Rate
- C. Site level, monthly
- i. kWh consumed in the on- and off-peak periods of Minnesota Power's tariff

- ii. Coincident peak demand, including the time of day at which the peak occurred, for the system peaks of both —
 - 1. Minnesota Power and
 - 2. The Midcontinent Independent System Operator, Inc.
 - iii. Non-coincident peak demand, including the time of day the peak occurred
 - iv. Number of vehicles, reported by the customer, using the charging infrastructure
 - v. Percentage of charging aligned with any onsite generation, if applicable
- D. Comparison of final bills under the pilot rate structure to the General Service Demand rate.
 - E. Comparison of pre and post pilot energy and demand usage, where available.
 - F. The total amount of Electric Vehicle Demand credit provided to each participant, compared to the demand revenue Minnesota Power would have received without the Pilot.
 - G. The total amount of Electric Vehicle Demand credit provided for the Pilot, compared to the demand revenue the Company would have received without the Pilot.
 - H. Require Minnesota Power to show, in its next general rate case, the extent to which non-participants are subsidizing participants in the Commercial Electric Vehicle Rate Pilot.
5. Where not otherwise noted, require Minnesota Power to submit a compliance filing consistent with the Commission’s decision in this matter within ten days.

Commissioner Tuma proposed amending Motion Paragraph 4.H. to say:

Require Minnesota Power to show, in its next general rate case following program implementation, the extent to which non-participants are subsidizing participants in the Commercial Electric Vehicle Rate Pilot.

Commissioner Lipschultz accepted the amendment.

The amended motion passed 5–0.

IP-7003/CN-19-223

In the Matter of the Application of Regal Solar, LLC for a Certificate of Need for the up to 100 MW Regal Solar Project in Benton County, Minnesota

IP-7003/GS-19-395

In the Matter of the Application of Regal Solar, LLC for a Site Permit for the up to 100 MW Regal Solar Project in Benton County, Minnesota.

Commissioner Schuerger moved that the Commission:

1. Accept the certificate of need application as substantially complete on the date the Applicant provides an updated and corrected application that includes the following additional information:
 - a. Information on the Platt River Substation interconnection, including general design information; details about construction, operation, and maintenance; cost differences, if known; and an assessment of the environmental impact of the interconnection.
2. Direct that the certificate of need application be reviewed using the informal review process.
3. Accept the site permit application as substantially complete and authorize review under the alternative permitting process defined in Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900 on the date the Applicant provides an updated and corrected application that includes the following additional information:
 - a. The anticipated annual generation in megawatt hours.
 - b. The size of the proposed operation and maintenance building.
 - c. A description of the above-ground electrical collection system including: a site plan with proposed pole locations, differences in number and type of inverters, discussion of construction techniques, and a description of potential human and environmental impacts specific to the above-ground electrical collection system.
 - d. An analysis of potential impacts from stray voltage.
 - e. A clear description of the unavoidable impacts of the proposed project.
 - f. A description of onsite hazardous waste storage, containment, and clean-up, and why it might be necessary.
 - g. Information on the Platt River Substation interconnection, including general design information; details about construction, operation, and maintenance; cost differences, if known; and an assessment of the environmental impact of the interconnection.
 - h. Updated figures that show, in greater detail and as practical, the proposed location and direction of the solar arrays, inverters, access roads, the project

substation, the operation and maintenance building and parking, and the above and below ground electric collection system components.

4. Approve joint public meetings, joint public hearings, and combined environmental review of the certificate of need and site permit applications to the extent practical.
5. Request DOC EERA to prepare an Environmental Assessment in lieu of an Environmental Report pursuant to Minn. R. 7849.1900.
6. Take no action on an advisory task force at this time.
7. Refer the matter to the Office of Administrative Hearings for the appointment of an ALJ to serve as the hearing examiner and request preparation of findings of fact, conclusions of law, and recommendation of a preferred site and permit conditions, and request that the ALJ determine the schedule for any testimony and post hearing briefing in consultation with interested parties, as necessary.
8. Regarding administrative responsibilities:
 - a. Delegate administrative authority, including timing issues, to the Executive Secretary.
 - b. Identify Charley Bruce as the Commission's Public Advisor who will facilitate citizen participation in the process.
 - c. Request that DOC DER and DOC EERA continue to study the issues and indicate during the hearing process through testimony or comment its position on the reasonableness of granting a site permit.
 - d. Require the Applicants to facilitate in every reasonable way the continued examination of the issues requested by DOC DER, DOC EERA, and Commission staff.
 - e. Require the Applicants to place a copy of the certificate of need and site permit applications in the government center or public library located closest to the proposed project site.
 - f. Direct the Applicants to work with Commission staff and DOC staff to arrange for publication of the notices related to public information meetings and public hearings in newspapers of general circulation under the timelines prescribed in rule and statute; such notice must be in the form of visible display ads and proof of publication must be obtained and provided to Commission staff.
 - g. Authorize Commission staff to file a sample site permit, including labor reporting requirements, to the docket of this case.
9. Grant a variance to Minn. R. 7849.0200, subp. 5, to extend the 30-day timeline.

The motion passed 5–0.

IP-7013/CN-19-408; IP-7014/CN-19-486

In the Matter of the Application of Big Bend Wind, LLC and Red Rock Solar, LLC for a Certificate of Need for an up to 335-MW Wind Project and an up to 75-MW Solar Large Energy Facility with an Associated 30-mile, 161-kV High Voltage Transmission Line in Cottonwood, Martin, and Jackson Counties

Commissioner Sieben moved that the Commission:

1. Grant exemptions to the following rules as requested by Applicants:
 - a. 7849.0250 (B) (1)
 - b. 7849.0250 (D)
 - c. 7849.0290
 - d. 7849.0330
2. Grant exemptions to the following rules on the condition that if a power purchase agreement is executed prior to application submittal or during the pendency of the certificate of need proceeding, the Applicants must provide equivalent data from any purchaser or any alternative data proposed by the Applicant:
 - a. 7949.0240, subp. 2 (B)
 - b. 7849.0250 (B) (2), (3), and (5)
 - c. 7849.0250 (C) (7)
 - d. 7849.0270
 - e. 7849.0280
 - f. 7849.0300
 - g. 7849.0340
3. Grant exemptions to the following rules, such that the information to be provided is limited to renewable, sustainable, or clean energy alternatives:
 - a. 7849.0250 (B) (4)
 - b. 7849.0250 (C) (1) to (6), (8), and (9)

The motion passed 5–0.

At this point in the meeting, Commissioners Sieben and Lipschultz left.

IP-6946/WS-17-410

In the Matter of the Application of Freeborn Wind Energy LLC for a Large Wind Energy Conversion System Site Permit for the 84 MW Freeborn Wind Farm in Freeborn County

IP-6946/TL-17-322

In the Matter of the Application of Freeborn Wind Energy LLC for a Route Permit for the 161 kV Freeborn Wind Farm Transmission Line and Associated Facilities in Freeborn County

Commissioner Schuerger moved that the Commission grant the request to transfer the route permit for the Freeborn Wind Farm Transmission Line and the site permit as amended on May 10, 2019 for the Freeborn Wind Farm Project from Freeborn Wind Energy LLC to Northern States Power Company. The Commission authorizes the reissuance of the route and site permits effective July 15, 2019, for the purpose of updating the permittee.

The motion passed 3–0.

E-229/TL-18-755

In the Matter of the Application of Detroit Lakes Public Utilities for a High-Voltage Transmission Line Route Permit in Becker County

Commissioner Tuma moved that the Commission:

1. Accept the route permit application as complete on the date DLPU provides an updated and corrected application that includes the supplemental information from their September 4th filing and the additional information correcting the width of the right-of-way.
2. Direct the use of the Summary Report review process to develop the record for the route permit and requests that the Office of Administrative Hearings compile a Summary Report of the comments received regarding the route permit application.
3. Regarding administrative responsibilities:
 - a. Delegate administrative authority to the Executive Secretary.
 - b. Identify Charley Bruce as the Commission’s Public Advisor who will facilitate citizen participation in the process.
 - c. Request that DOC EERA continue to study issues and indicate during the hearing process its position on the reasonableness of granting a route permit.
 - d. Require DLPU to facilitate in every reasonable way the continued examination of the issues by DOC EERA and Commission staff.
 - e. Require DLPU to place a copy of the application (printed or compact disc) for review in at least one government center or public library in each county where the proposed transmission line project is located.

- f. Direct Commission staff to work with the Administrative Law Judge and Department staff in selecting a suitable location for the public hearing on the application.
 - g. Direct DLPU to work with Commission staff to arrange for publication of the notice of public hearings in newspapers of general circulation at least ten days prior to the hearing(s). Such notice must be in the form of visible display ads and DLPU must provide proof of publication to the Commission.
4. Request that DOC EERA present comments on the environmental assessment scope to the Commission for its input prior to the issuance of the final scoping decision by the Department of Commerce.
 5. Take no action on an advisory task force at this time.
 6. Grant a variance to the time period of Minn. R. 7850.3700, subp. 3, for good cause to extend the 10-day time limit for the Department to issue its scoping decision in order to allow for Commission review.

The motion passed 3–0.

IP-2/LR-19-228

In the Matter of the Information Book for Owners and Tenants of Property along the Wescott Liquefied Petroleum Gas Pipeline Route in Dakota County, Minnesota

Commissioner Means moved that the Commission approve the Flint Hills Resources Pine Bend, LLC “Information Book for Owners and Tenants of Property along the Wescott Liquefied Petroleum Gas Pipeline in Dakota County, Minnesota” prepared in compliance with Minnesota Statute 216GF.04, with minor typographical changes recommended by Department of Commerce and Commission staff.

The motion passed 3–0.

E-999/M-19-276

In the Matter of Annual Reports on Progress in Achieving the Solar Energy Standard

Commissioner Schuerger moved that the Commission accept the Annual Solar Energy Standard Reports submitted by Xcel Energy, Minnesota Power, and Otter Tail Power Company.

The motion passed 3–0.

G-008/M-19-298

In the Matter of CenterPoint Energy's (CenterPoint) 2018 Conservation Improvement Program Status Report, 2018 Demand Side Management (DSM) Financial Incentive, Conservation Improvement Program (CIP) Tracker Report, and 2018 Conservation Cost Recovery Adjustment (CCRA) Aggregated Compliance Filing

Commissioner Tuma moved that the Commission:

1. Approve CenterPoint's proposed 2018 DSM financial incentive of \$11,317,175 to be included in the Company's CIP tracker account no sooner than the issue date of this Order.
2. Approve CenterPoint's 2018 CIP tracker account, as summarized in Table 1 of the Department's comments, resulting in a December 31, 2018 tracker balance of (\$6,096,809).
3. Approve a 2019/2020 CCRA of \$0.00576 per therm, effective September 1, 2019.
4. Approve the Company's proposed bill message concerning its CCRA.

The motion passed 3–0.

E-002/M-19-453

In the Matter of Northern States Power Company, doing business as Xcel Energy's (Xcel) Petition for Solar*Rewards Program and Community Solar Garden Program Tariff Updates

Commissioner Schuerger moved that the Commission approve Xcel's petition.

The motion passed 3–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: December 26, 2019



Daniel P. Wolf, Executive Secretary