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February 18, 2014

Burl W. Haar
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 Nos. G008/CI-04-2001 and G008/M-14-134

Dear Dr. Haar:

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

CenterPoint Energy's Request for Cold Weather Rule Script Revisions.

The Petition was filed on February 11, 2014 by:

Adam Pyles
Director, Regulatory Activities
CenterPoint Energy
800 LaSalle Avenue
P.O. Box 59038
Minneapolis, Minnesota 55459-0038

The Department recommends that the Commission **approve, with modification**, CenterPoint Energy's request. The Department is available to answer any questions the Minnesota Public Utilities Commission may have.

Sincerely,

/s/ SUSAN MEDHAUG
Supervisor, Energy Regulation & Planning

SM/lt
Attachment



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

COMMENTS OF THE MINNESOTA DEPARTMENT OF COMMERCE DIVISION OF ENERGY RESOURCES

DOCKET No. G008/CI-04-2001 and G008/M-14-134

I. BACKGROUND AND SUMMARY OF PROPSAL

The Minnesota Public Utilities Commission's (Commission) September 26, 2006 Order in Docket No. G008/CI-04-2001 requires CenterPoint Energy (CPE or the Company) to use an approved script during telephone conversations with customers seeking reconnection. Any changes in the script must be approved by the Commission; minor changes can be approved through the Commission's consent agenda process and substantive changes through the Commission's more typical review and approval process. In its October 14, 2008 Order in the same docket, the Commission affirmed the requirement for script change approval, noting:

The script plays a critical role in protecting residential customers' statutory rights, and it is important that any proposed revisions receive the thorough regulatory review required under [the September 26, 2006] order.

On February 11, 2014, CPE submitted a filing to the Commission proposing revisions to the script used by the Company's Customer Service Representatives when discussing customer reconnections under the Cold Weather Rule (Minnesota Statutes §216B.096). The changes proposed relate to the specific income eligibility threshold that is used to invoke protection under the Cold Weather Rule (CWR) and for participation in Minnesota's Energy Assistance Program.

On February 4, 2014, Governor Dayton signed an executive order extending income eligibility for Minnesota's Energy Assistance Program (EAP) from 50 percent of the state median income to 60 percent. CPE proposes to apply the Governor's expanded EAP eligibility guidelines to the Company's implementation of the CWR. Therefore, CPE requests corresponding changes to the script used by the Company's Customer Service Representatives. CPE's request is intended to

avoid customer confusion and dissatisfaction for those customers with household incomes between 50 and 60 percent of the state median income, who would be eligible for participation in the Energy Assistance Program but not CWR protection absent CPE's decision to apply the Governor's Energy Assistance Program eligibility expansion to the Company's implementation of the CWR.

II. DEPARTMENT ANALYSIS

The Department supports CPE's request to ensure that the eligibility thresholds for CWR protection and for participation in the Energy Assistance Program remain aligned for its customers. The Department notes that certain minor changes to the Company's proposal would enhance clarity and accuracy. The Department recommendations are more fully discussed below.

A. CONFORMANCE TO THE COLD WEATHER RULE

Minnesota Statutes §216B.096, subd. 5 (a) states:

During the cold weather period, a utility may not disconnect and must reconnect utility heating service of a customer whose household income is at or below 50 percent of the state median income if the customer enters into and makes reasonably timely payments under a mutually acceptable payment agreement with the utility that is based on the financial resources and circumstances of the household; provided that, a utility may not require a customer to pay more than ten percent of the household income toward current and past utility bills for utility heating service.

The Department concludes that a utility may be allowed to establish a less stringent income eligibility standard than is set by Minnesota Statutes §216B.096, subd. 5 (a), since doing so does not conflict with the statutory requirement. Further, ensuring that the income eligibility limits are consistent between the CWR and the Energy Assistance Program reduces confusion both among utility staff and members of the public. Therefore, the Department recommends that the Commission approve CPE's requested script changes, as modified below.

B. ENERGY ASSISTANCE PROGRAM

To ensure clarity, the Department recommends that CPE's CWR script refer to the "Energy Assistance Program" rather than the truncated "Energy Assistance" whenever referring to the program.

C. *INCOME THRESHOLD*

As noted above, utility customers can seek CWR protection if their household income is equal to or below 50 percent of the state median income. However, CPE's current script indicates eligibility at *less than* 50 percent, mistakenly suggesting that those customers whose household incomes are exactly 50 percent of the state median income do not qualify. CPE's requested script changes eliminate that error, with the exception of the language changes proposed for STEP FOUR ("payment plan" customers):

If customer does not provide income information or if the customer's monthly income is more than or equal to ~~50% of the state median~~ the Energy Assistance guidelines, the Customer Service Rep will state: . . .

And:

If the customer's monthly income is more than or equal to ~~50% of the state median~~ the Energy Assistance guidelines and the customer is not facing any other circumstances that should be considered, or if the customer does not provide information about income or circumstances, then the Customer Service Representative may ask that a portion of past-due charges be paid in addition to establishing a monthly payment amount when offering a payment arrangement by asking: . . .

The Department recommends that the language be amended to indicate what happens if the customer's monthly income does not *meet* the Energy Assistance Program guidelines in the above provisions, rather than using potentially misleading language indicating that an income level that equals or exceeds the income eligibility levels warrants the subsequent steps in the script.

Therefore, in the "STEP FOUR ("payment plan" customers)" section of the script, the Department recommends the following changes to the existing script:

If customer does not provide income information or if the customer's monthly income does not meet ~~is more than or equal to 50% of the state median~~ the Energy Assistance Program guidelines, the Customer Service Rep will state: . . .

And:

If the customer's monthly income does not meet ~~is more than or equal to 50% of the state median~~ the Energy Assistance Program guidelines and the customer is not facing any other circumstances that should be considered, or if the customer does not provide information about income or circumstances, then the Customer

Service Representative may ask that a portion of past-due charges be paid in addition to establishing a monthly payment amount when offering a payment arrangement by asking: . . .

III. RECOMMENDATION

The Department recommends that the Commission approve CPE's requested script changes, with the clarifying modifications noted above.

/lt

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. G008/CI-04-2001 and G008/M-14-134

Dated this **18th** day of **February 2014**

/s/Sharon Ferguson

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