

The Commission met on **Thursday, June 6, 2024**, with Acting Chair Sullivan and Commissioners Ham, Means, and Tuma present.

The following matters were taken up by the Commission:

**E,G-999/PR-24-21**

**In the Matter of Minnesota Public Utilities Commission Filings to the Federal Energy Regulatory Commission**

Commissioner Sullivan moved that the Commission:

The Minnesota Public Utilities Commission supports the Federal Energy Regulatory Commission's Order No. 1920 to the extent the Order promotes:

- A. Long-Term Transmission Planning;
- B. Reasonable transmission facility selection criteria;
- C. Just and reasonable cost allocation of long-term transmission facilities;
- D. Engagement with state officials in regard to cost allocation methodologies;
- E. Engagement with local transmission processes;
- F. Cost-effective and efficient "right-size" transmission facilities opportunities;
- G. the use of grid-enhancing technologies;
- H. A revised process to address interconnection queue congestion.

The motion passed 4-0.

**G-004/M-24-73**

**In the Matter of Petition for Approval of a New Rate Schedule "Renewable Natural Gas Producer Access and Interconnection Service Rate 87"**

Commissioner Means moved that the Commission approve the following:

1. The Commission approves the Renewable Natural Gas Tariff filed by Great Plains Natural Gas Co. (Great Plains or the Company) with the following modifications:
  - A. Clarify that the Maintenance Fee is composed of two components:
    - 1) Routine which will be specified in the RNG Producer Access and Maintenance Agreement and updated annually to reflect actual costs, and

- 2) Extraordinary that will be billed in full following the occurrence of any such costs incurred.
- B. Include how the routine and extraordinary maintenance fees are estimated/determined.
- C. Add to the “Nomination and Balancing Requirements” section:

*3. Daily Nomination Requirements: Customer agrees to communicate, to Company, the following month’s daily quantity of RNG no later than the 25th calendar day prior to the start of the applicable month. Communication shall be performed through electronic means as directed by the Company. The Company reserves the right to deny such request pursuant to the Company’s sole determination of available receipt quantity. Failure to produce the requested daily quantity shall be remedied as outlined in Section 2 Balancing Requirements.*
- D. Remove references to “deliveries” or “delivered” from Original Sheet Nos. 5-57 and 5-58 and instead only reference “receipts” or “received.”
- E. Remove the Revenue Decoupling Mechanism exclusion from the Tariff.
2. The Commission approves the Interconnect Agreement (filed as Appendix A in the Department’s March 8, 2024 comments) with the following modifications:
  - A. Determine a minimum term period consistent across Rate 87, the Interconnect Agreement, and the Access and Maintenance Agreements, and update all term-related language accordingly.
  - B. Modify Paragraph 2 under “General Provisions” of the Interconnect Agreement to include the following sentence in redline:

The Parties agree that Company will order long lead time equipment after receiving the Initial Payment as described in Section 26 without the necessity of the condition’s precedent being met. If this Agreement is terminated pursuant to this Paragraph 2, Company will transfer the long-lead equipment ordered at no cost to Supplier upon said termination. ~~The Initial Payment, should any balance remain after deducting the cost of the long lead equipment, shall also be refunded to Supplier. Should the cost of the long lead items exceed the Initial Payment (as defined below), the difference shall be due and paid to Great Plains by Producer at the time of termination.~~ Long lead time equipment to be order is shown in Exhibit C.

3. Great Plains must:
  - A. Ensure that any biogas interconnection or service is consistent with its obligations to provide safe and reliable service.
  - B. Maintain on the Company's website the most up-to-date biogas quality standards and testing requirements for those injecting biogas into the distribution system under its RNG interconnection program.
  - C. Periodically update its gas quality standards according to the best available science, after consulting with stakeholders, the Minnesota Department of Commerce, and the Minnesota Office of Pipeline Safety.
  - D. Notify the Commission when it changes its service quality standards.
  - E. In its annual reports, report on any discussions with stakeholders on its RNG quality standards.
4. Do not order Great Plains to explore the possibility of requiring different quality standards for different RNG sources.
5. The Commission approves the Access and Maintenance Agreement with the following modifications:
  - A. Exclude the "Access Fee" clause from Paragraph 5 of the Access and Maintenance Agreement.
  - B. Modify Paragraph 5.b as follows:

Invoice. Company will invoice Producer for the ~~Access Fee~~, Routine Maintenance Fee, ~~and any~~ Extraordinary Maintenance Fees (if any) Costs at the end of each month that this Agreement is effective and the charges billed under Rate 87 as part of its monthly Great Plains bill. Each invoice will be due and payable within ~~twenty (20)~~ 22 days of receipt.
  - C. Modify Paragraph 6.b. as follows:

In the event Producer's RNG is to be injected in the interstate pipeline system, Producer will need a separate off system transportation agreement with the ~~Company~~ applicable interstate pipeline company.
6. Great Plains shall make a compliance filing within 30 days with the following items each time it accepts another producer's renewable natural gas into its system:
  - A. The producer's feedstock or feedstocks.

- B. The total amount of RNG expected to be provided by the producer.
  - C. The mix of end-uses of the digestate.
  - D. If known, the state(s) in which the entity or entities purchasing the RNG from the producer are located and the end-use for which the RNG is being purchased.
7. By February 1 each year, Great Plains shall make an annual compliance filing with the following information:
- A. The total number of interconnected RNG producers supplying RNG to the Company's system in the previous calendar year.
  - B. The amount of RNG volumes taken onto the Company's system each year in total and from each of those producers.
  - C. The mix of feedstock used by RNG producers connected to the Company's system and volumes provided to the system broken out by primary feedstock for the previous calendar year.
  - D. The mix of end-uses of the digestate for each producer interconnected to the Company's system.
  - E. Updated information for each interconnected RNG producer using the same data points as included in the per-producer compliance filing described above.
8. If any affiliates of Great Plains become involved in any RNG interconnection project, the Company must:
- A. Inform the Commission and the Department;
  - B. Explain whether any proposed interconnection project implicates Minn. Stat. § 216B.48 and Minn. R. 7825.1900–7825.2300; the relevance of the affiliated interest laws to all applicable projects; and how any transactions with its affiliates would comply; and
  - C. Seek Commission approval of transactions governed by the affiliated interest laws.
9. The Company shall:
- A. Separately track all costs associated with an RNG interconnection, and
  - B. Track the total RNG received by each RNG supplier.
10. The Company must continue to monitor for developments in the Inflation Reduction Act for opportunities that align with its interconnection service.

11. Within 30 days of this order, Great Plains must submit a compliance filing with revised tariff sheets, interconnection agreement, and access and maintenance agreement, consistent with the decisions herein.

The motion passed 4–0.

**E,G-999/19-505**

**In the Matter of a Petition by the Citizens Utility Board of Minnesota to Adopt Open Data Access Standards**

**E,G-999/CI-12-1344**

**In the Matter of a Commission Inquiry into Privacy Policies of Rate-Regulated Energy Utilities**

Commissioner Sullivan moved that the Commission:

1. Apply the Standards to anonymized CEUD requests only for study and program design.
2. Make the following amendment to the Standards at Section III.B(2)(v)(d):

~~Section III.B(2)(v)(d) Require the third a party to have contractual terms for disclosure with contracted entities noted in paragraphs (b) and (c) above that are equivalent to utilities contract here in and provide executed copies of those agreements in advance or when they're made;~~  
Prohibit the third party from disclosing the CEUD to any individuals unless an individual has first executed a reasonable nondisclosure agreement with the utility consistent with this section;

3. Amend the Standards at Section III.B(2)(vi) by adding the following language regarding the mandatory deletion of anonymized CEUD:

III.B(2)(vi) Through a contract described in paragraph (v) utilities may require the deletion of anonymized CEUD in a manner that:

- (a) Allows a third party to retain data for a minimum of five years;
- (b) Allows a third party to comply with any applicable data retention requirements, such as federal grant requirements, Institutional Review Board requirements, or other similar circumstances.
- (c) Allows for a sufficient amount of time for the academic publication process, including analysis, peer review, and final publication; and
- (d) Allows a third party to extend this timeline in order to use anonymized CEUD in a subsequent analysis, so long as such analysis is in compliance with the Standards; or
- (e) Provides an alternative timeframe for data deletion, by mutual agreement of the utility and the third party.

4. Allow third parties to request CEUD in sub-hourly intervals by amending the Standards as follows:

Section IV.A. Utilities will provide CEUD in as short intervals as practicable, with aggregated CEUD reported in intervals no shorter than monthly, ~~and anonymized CEUD reported in intervals no shorter than hourly.~~

5. Clarify that the 15/15 anonymization screen applies to the full time period of data in any report.
6. Require Utilities to reflect costs and revenues associated with responding to data requests for anonymized CEUD in rate cases.
7. Make the following technical correction to the Standards:

Section III.C: Notwithstanding section III.B, a utility may refuse to provide aggregated or anonymized CEUD when it reasonably believes the data release would create a security risk for the utility, its customer(s), or ~~that~~ the public, or that the release would allow the third party to re-identify customers, violate the terms of the contract in 2(v) above, or otherwise use the data in violation of these standards.

8. Make the following technical correction to the Standards:

Section III.E: Notwithstanding any other provisions in law or in these Standards, a utility shall not aggregate or anonymize customer energy use data of any customer exempted by the commissioner of commerce under section 216B.241 from contributing to investments and expenditures made by a utility under an energy and conservation optimization plan, unless the customer provides written consent to the utility, pursuant to Minn. Stat. § 216C.331, subd. 8~~(e)~~(d).

9. Make the following technical correction to the Standards:

Section III.B(1)(vi)(b): Notify any customer whose CEUD triggers a privacy screen failure of the data request, the name and contact information of the entity making the request, and the purpose of the entity's request, and allow the customer to give written permission to include their data in the data set.

10. Make the following technical correction to the Standards:

Section III.B(2)(iv)(c): Entities that provide or seek to provide demand response, energy efficiency, or other services to a utility, under the condition that the requested data be used ~~may access anonymized data~~ for the sole purpose of providing such services or preparing a proposal to the utility to do so.

11. Make the following technical correction to the Standards:

Section III.B(2)(ii): A unique customer identification code shall be assigned to each anonymous customer in a data set. The customer identification

code shall remain consistent within the data set and shall not be used in other data sets.

12. Modify the Standards to include the Commission's ... exemption to large industrial and commercial customers with peak demands of 5 MW or greater:

III.F.: Notwithstanding any other provisions in these Standards, a utility shall only aggregate or anonymize the customer energy use data of large industrial or commercial customers with peak demands of 5 MW or more in response to requests for building level or anonymized CEUD with customer consent.

13. Modify III.B(2)(iv)(a) to: "~~Tax-exempt organizations based within the United States~~A nonprofit organization that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code and is subject to the registration requirements of the Minnesota Attorney General's office"
14. Add III.B(2)(iv)(d): "A researcher affiliated with a college or university accredited by a national or regional accrediting agency recognized by the U.S. Secretary of Education conducting research in compliance with the federal government's "Common Rule" for the protection of human subjects by an Institutional Review Board, as defined by the National Science Foundation 45 CFR 690."

The motion passed 4-0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: August 28, 2024**



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Will Seuffert, Executive Secretary