



414 Nicollet Mall
Minneapolis, MN 55401

October 1, 2015

—Via Electronic Filing—

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: PETITION
REQUEST FOR VARIANCE - BILLING ERROR RULES
DOCKET NO. E,G002/M-15-_____

Dear Mr. Wolf:

Enclosed for filing is the Petition of Northern States Power Company, doing business as Xcel Energy, requesting approval of a variance to Minn. R. 7820.3800 and 7820.4000, and a one-time modification to the terms of the Company's Billing Error Tariff requirements contained in its Electric and Natural Gas Rate Books.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list.

Please contact Amber Hedlund at amber.r.hedlund@xcelenergy.com or (612) 337-2268 if you have any questions regarding this filing.

Sincerely,

/s/

BRIA E. SHEA
Regulatory Manager

Enclosures
c: Service List

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner
Betsy Wergin	Commissioner

IN THE MATTER OF THE PETITION OF
NORTHERN STATES POWER COMPANY
FOR APPROVAL OF A VARIANCE TO
COMMISSION RULES GOVERNING
BILLING ERRORS

DOCKET NO. E002/M-15-_____

PETITION

INTRODUCTION

Northern States Power Company, doing business as Xcel Energy, submits to the Minnesota Public Utilities Commission this Petition for approval of a variance to the Commission's Billing Error Rules, and a one-time modification to the Company's Billing Errors Tariff requirements contained in its Electric Rate Book to approve three credits for overcharges.

In this filing we seek approval to apply a billing credit to three residential electric customers (Customers A, B, and C). Our request for these customers stems from overcharges due to three separate incorrect meter connections. These billing errors exceed the three-year timeframe for remedies provided in our tariff and the Commission's Rules.

I. SUMMARY OF FILING

Pursuant to Minn. R. 7829.1300, subp. 1, a one-paragraph summary is attached.

II. SERVICE ON OTHER PARTIES

Pursuant to Minn. R. 7829.1300, subp. 2 and Minn. Stat. § 216.17, subd. 3, Xcel Energy has electronically filed this document. A summary of the filing has been served on all parties on the Company's miscellaneous electric service list.

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

Northern States Power Company doing business as:
Xcel Energy
414 Nicollet Mall
Minneapolis, MN 55401
(612) 330-5500

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

Alison Archer
Assistant General Counsel
Xcel Energy
414 Nicollet Mall, 5th Floor
Minneapolis, MN 55401
(612) 215-4662

C. Date of Filing

The date of this filing is October 1, 2015. The Company requests approval of the proposed variances to Minn. R. 7820.3800 and a one-time modification to the Billing Error Tariff provisions in its Electric Rate Book.

D. Statute Controlling Schedule for Processing the Filing

This Petition is made pursuant to Minn. Stat. § 216B.16, subd. 1, which prescribes general timelines for rate and tariff changes, including, but not limited to, a requirement of 60-days' notice prior to any rate or tariff change.

Commission Rules define this filing as a "miscellaneous tariff filing" under Minn. R. 7829.0100, subp. 11 since no determination of Xcel Energy's overall revenue requirement is necessary. Minn. R. 7829.1400, subp. 1 and 4 permit comments in response to a miscellaneous filing to be filed within 30 days and reply comments to be filed no later than 10 days thereafter.

E. Utility Employee Responsible for Filing

Bria E. Shea
Regulatory Manager
Xcel Energy
414 Nicollet Mall, 7th Floor
Minneapolis, MN 55401
(612) 330-6064

IV. MISCELLANEOUS INFORMATION

Pursuant to Minn. R. 7829.0700, the Company requests that the following persons be placed on the Commission’s official service list for this proceeding:

Alison C. Archer
Assistant General Counsel
Xcel Energy
414 Nicollet Mall, 5th floor
Minneapolis, MN 55401
alison.c.archer@xcelenergy.com

SaGonna Thompson
Regulatory Administrator
Xcel Energy
414 Nicollet Mall, 7th Floor
Minneapolis, MN 55401
regulatory.records@xcelenergy.com

Any information requests in this proceeding should be submitted to Ms. Thompson at the email address above.

V. DESCRIPTION AND PURPOSE OF FILING

A. Background

1. Customer A

Customer A began residing at their premise on September 30, 1998. In response to Customer A’s high bill inquiry in February 2015, we conducted a review of the meters at the duplex where the customer resides. Upon inspection it was determined that Customer A was being billed for the electrical usage for their main residence (side a) in addition to being billed for the guest house’s electrical usage (side b). The electrical usage for side b was wired through the side b meter as intended; however, it was also wired through side a’s breaker box, which means it was being recorded on side a’s meter as well.

We are unable to determine how the error happened, but can only assume the error occurred when the electrician installed the side b meter in April 1999. The error was

confirmed and corrected in April 2015. We are requesting to credit Customer A back to February 2, 2005; as far back as we have sufficient billing records to calculate the credit.

2. *Customer B*

Customer B began residing at their premise (which was a four-plex) on January 26, 2005. A different customer residing at a different premise at the same four-plex contacted the Company on February 13, 2015 requesting a meter test due to high bills. Upon investigation, the Company determined that all four meters located at the four-plex had been switched; two customers were over-billed (including Customer B) and two were under-billed.¹

We believe that the meters were set incorrectly at the time of installation, which resulted in each premise being billed for neighboring usage, rather than their own. All four meters were corrected on February 27, 2015. The customer that called with the initial complaint on February 13, 2015 had their refund applied to their service start date of November 25, 2013 and requires no variance to be filed. However, Customer B called on February 27, 2015 to inquire about a refund for the error beyond the three-year allowable time frame, so we are requesting a variance for this customer back to January 26, 2005.

3. *Customer C*

Customer C began residing at their premise on May 22, 1998. On May 26, 2005, we did a random meter exchange which is commonly done due to the age of the meter. After the customer called with high bill inquiries, on April 15, 2015 we performed a meter test and discovered that Customer C and another customer located in another city were being charged for each other's usage due to their meter numbers being switched in our billing system. The meters were then corrected in our billing system which lowered Customer C's consumption substantially due to the fact that the customer located in the other city owns a hot tub and heated pool.

We believe the meters were set incorrectly in our system at the time of the May 26, 2005 exchange, which resulted in each premise being charged for the other's usage. Both meters were corrected on April 15, 2015. We are requesting to credit Customer C back to the meter exchange date of May 26, 2005. The other customer with the hot

¹ Pursuant to Minn. R. 7820.3800, subp. 3, we calculated and charged the two under-billed customers for the difference between the amount collected for service rendered and the amount we should have collected. One customer was billed for additional charges for service from 1/26/14 to 1/26/15 and the other customer was charged for additional services from the service start date of 5/31/14 to 1/26/15.

tub and heated pool was under-billed and has been back-billed for the period of April, 15, 2014 to April 15, 2015, as allowed by the Minnesota Rules.

B. Company Actions

Because the period over which the errors occurred exceed the three-year timeframe identified in our Electric Rate Book and the Commission’s Billing Errors Rule, a one-time variance to the Commission’s Billing Error Rules, and a one-time modification to our tariff provisions is required to provide an additional credit to the affected customers.

We have calculated and provided billing credits in accordance with Minn. R. 7820.3800 and calculated interest consistent with Minn. Stat. § 325E.02(b) as outlined below:

1. *Customer A*

On April 22, 2015, we credited Customer A the principal amount of \$2,875.80, and the interest amount of \$5.75 for the period within Commission rules and our tariff. The table below outlines the total overcharges and corresponding interest amounts owed to Customer A.

Time Period	Principal	Interest	Total
<i>Within</i> Commission Rules and Tariff period: 04/01/2012 through 04/02/2015	\$2,875.80	\$5.75	\$2,881.55
<i>Exceeding</i> Rules and Tariff period: 02/02/2005 through 03/31/2012	\$4,142.07	\$256.94	\$4399.01
Total	\$7,017.87	\$262.69	\$7280.56

2. *Customer B*

On February 16, 2015, we credited Customer B the principal amount of \$553.65, and interest amount of \$1.05 for the period within Commission rules and our tariff. The table below outlines the total overcharges and corresponding interest amounts owed to Customer B.

Time Period	Principal	Interest	Total
<i>Within</i> Commission Rules and Tariff period: 01/25/2012 through 01/26/2015	\$553.65	\$1.05	\$554.70
<i>Exceeding</i> Rules and Tariff period: 01/26/2015 through 01/24/2012	\$2,416.94	\$29.91	\$2,446.85
Total	\$2,970.59	\$30.96	\$3,001.55

3. *Customer C*

On September 11, 2015, we credited Customer C the principle amount of \$6,723.75 and interest amount of \$43.11 for the period within Commission rules and our tariff. The table below outlines the total overcharges and corresponding interest amounts owed to Customer C.

Time Period	Principal	Interest	Total
<i>Within</i> Commission Rules and Tariff period:	\$ 6,633.75	\$ 17.29	\$ 6,651.04 ²

² Due to differing cities and associated fees, an error was made in the initial calculations resulting in a slightly larger credit being provided to the customer. The customer received \$6,723.75 in principal for the billing adjustment and \$43.11 in interest for the three-year time period which is \$115.82 more than it should have been. We did not request the additional \$115.82 be returned.

4/14/2012 through 4/14/2015			
<i>Exceeding</i> Rules and Tariff period:			
5/26/2005 through 4/13/2012	\$13,107.70	\$ 690.43	\$13,798.13
Total	\$19,741.45	\$ 707.72	\$20,449.17

C. Applicable Law

Minn. R. 7820.3800 governs errors related to electric bills, and provides in relevant part:

When a customer has been overcharged.... as a result of incorrect reading of the meter, **incorrect application of rate schedule, incorrect connection of the meter**, application of an incorrect multiplier or constant or other similar reasons, the amount of the overcharge shall be refunded to the customer... the utility shall calculate the difference between the amount collected for service rendered and the amount the utility should have collected for service rendered, plus interest, for the period beginning three years before the date of discovery... If the date the error occurred can be fixed with reasonable certainty, the remedy shall be calculated on the basis of payments for service rendered after that date, but in no event for a period beginning more than three years before the discovery of an overcharge... [Emphasis added]

Customer A, B and C were each overcharged due to an incorrect connection of the meter. These facts fit with Minn. R. 7820.3800, subp. 1, which provides criteria for errors warranting a remedy. Therefore, we believe these fact patterns are the type of error contemplated by Minn. R. 7820.3800.

The Company's Electric Tariff contains a similar provision that permits an adjustment for overcharges up to a maximum of three years from the date of discovery of the billing error.

Given the unique facts presented here, we are seeking a variance from this rule and one-time modification to our Electric Tariff to allow for a credit of the charges billed to the customers that exceed the three-year timeframe identified in our Electric Rate Book and the Commission's Billing Error Rules.

Minn. R. 7829.3200, which provides criteria for a variance from the Commission's Rules, states:

- Subp. 1 The commission shall grant a variance to its rules when it determines that the following requirements are met:
- A. enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule;
 - B. granting the variance would not adversely affect the public interest; and
 - C. granting the variance would not conflict with standards imposed by law.

As further discussed below, we believe that the unique facts presented here meet the criteria for a one-time rule variance.

D. Variance Request

Xcel Energy respectfully requests that the Commission approve a variance to Minn. R. 7820.3800 and a one-time modification to the terms of our Electric Billing Error Tariffs. As outlined below, we believe the criteria for variance established under Minn. R. 7829.3200 are met here.

1. Enforcement of the Rule Would Impose an Excessive Burden

Given the amount of time at issue, enforcement of Minn. R. 7820.3800 would impose an excessive burden on the customer by limiting the credit from the total over-billed amount. We believe that with these facts, it is fair and prudent to fully credit the customers for the overcharged amount, including interest calculated at the rate identified in the Commission's Rule.

2. Granting the Variance Does Not Adversely Affect the Public Interest

The public interest is not adversely affected by granting a variance to approve the credit to each customer's electric service account. The credit serves only to make the customers whole against actual overcharges resulting from the application of the wrong rate schedule.

3. Variance Does Not Conflict with Standards Imposed by Law

We are not aware of any conflict with any standards imposed by law. Rather, the Commission's Rules expressly contemplate variances under circumstances such as those presented here. In addition, the Commission has in the past approved a utility's voluntary credit beyond the limits of its Rules when special circumstances exist affecting the customer.³

Consistent with the Commission's June 21, 2010 Order in Docket No. E002/M-10-258, once a Docket Number is assigned to this Petition we will notify the affected customer of our request for a variance from the Commission's Rules and our Tariff, and provide instructions on how to participate in this proceeding.

CONCLUSION

We respectfully request the Commission grant a variance to its Billing Errors Rule, and approve a one-time modification to our Tariff providing Customer A, Customer B, and Customer C with a credit for the over-billed amount that exceeds the three-year timeframe specified in the rule and our tariff, for which we have sufficient billing records.

Dated: October 1, 2015.

Northern States Power Company

³ See *In the Matter of Northern States Power Company d/ b/ a Xcel Energy's Request for a Variance to the Billing Error Rules*, Docket No. E002/M-13-19, ORDER (March 12, 2013); *In the Matter of Northern States Power Company, d/ b/ a Xcel Energy Request for a Variance to the Billing Error Rules*, Docket No. E002/M-13-438, ORDER (July 12, 2013); *In the Matter of Northern States Power Company, d/ b/ a Xcel Energy (Xcel) Request for a Variance to Billing Error Rules*, Docket No. E,G002/M-14-74, ORDER (April 18, 2014) and *In the Matter of Northern States Power Company, d/ b/ a Xcel Energy (Xcel) Request for a Variance to Billing Error Rules*, Docket No. E002/M-15-203, ORDER (May 7, 2015).

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
John Tuma	Commissioner
Betsy Wergin	Commissioner

IN THE MATTER OF THE PETITION OF
NORTHERN STATES POWER COMPANY
FOR APPROVAL OF A VARIANCE TO
COMMISSION RULES GOVERNING
BILLING ERRORS

DOCKET No. E002/M-15-_____

PETITION

SUMMARY OF FILING

Please take notice that on October 1, 2015 Northern States Power Company, doing business as Xcel Energy, filed with the Minnesota Public Utilities Commission a Petition for approval of a variance to its Billing Error Rules, and a one-time modification to the Company's Billing Errors Tariff requirements.

CERTIFICATE OF SERVICE

I, Jim Erickson, hereby certify that I have this day served copies of the foregoing document on the attached list of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis, Minnesota

xx electronic filing

Docket No. **E002/M-15-_____**

Dated this 1st day of October 2015

/s/

Jim Erickson
Regulatory Administrator

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Christopher	Anderson	canderson@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022191	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
James J.	Bertrand	james.bertrand@leonard.com	Leonard Street & Deinard	150 South Fifth Street, Suite 2300 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Michael	Bradley	mike.bradley@lawmoss.com	Moss & Barnett	150 S. 5th Street, #1200 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Jeffrey A.	Daugherty	jeffrey.daugherty@centerpointenergy.com	CenterPoint Energy	800 LaSalle Ave Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Ian	Dobson	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Antitrust and Utilities Division 445 Minnesota Street, BRM Tower St. Paul, MN 55101	Electronic Service 1400	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 551012198	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Todd J.	Guerrero	todd.guerrero@kutakrock.com	Kutak Rock LLP	Suite 1750 220 South Sixth Street Minneapolis, MN 554021425	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Sandra	Hofstetter	N/A	MN Chamber of Commerce	7261 County Road H Fremont, WI 54940-9317	Paper Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Michael	Hoppe	il23@mtn.org	Local Union 23, I.B.E.W.	932 Payne Avenue St. Paul, MN 55130	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Alan	Jenkins	aj@jenkinsatlaw.com	Jenkins at Law	2265 Roswell Road Suite 100 Marietta, GA 30062	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	150 S. 5th Street Suite 1200 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Mark J.	Kaufman	mkaufman@ibewlocal949.org	IBEW Local Union 949	12908 Nicollet Avenue South Burnsville, MN 55337	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Thomas	Koehler	TGK@IBEW160.org	Local Union #160, IBEW	2909 Anthony Ln St Anthony Village, MN 55418-3238	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Michael	Krikava	mkrikava@briggs.com	Briggs And Morgan, P.A.	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Douglas	Larson	dlarson@dakotaelectric.com	Dakota Electric Association	4300 220th St W Farmington, MN 55024	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E St. Paul, MN 55106	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Andrew	Moratzka	apmoratzka@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
David W.	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	Suite 300 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Richard	Savelkoul	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	332 Minnesota Street Ste W2750 St. Paul, MN 55101	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Ken	Smith	ken.smith@districtenergy.com	District Energy St. Paul Inc.	76 W Kellogg Blvd St. Paul, MN 55102	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Ron	Spangler, Jr.	rlspangler@otpc.com	Otter Tail Power Company	215 So. Cascade St. PO Box 496 Fergus Falls, MN 565380496	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Byron E.	Starns	byron.starns@leonard.com	Leonard Street and Deinard	150 South 5th Street Suite 2300 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
James M.	Strommen	jstrommen@kennedy-graven.com	Kennedy & Graven, Chartered	470 U.S. Bank Plaza 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
SaGonna	Thompson	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Lisa	Veith	lisa.veith@ci.stpaul.mn.us	City of St. Paul	400 City Hall and Courthouse 15 West Kellogg Blvd. St. Paul, MN 55102	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	No	GEN_SL_Northern States Power Company dba Xcel Energy-Elec_Xcel Miscl Electric and Gas