State of Minnesota
Before the Public Utilities Commission

Katie Sieben	Chair
Valerie Means	Commissioner
Matthew Schuerger	Commissioner
Joseph Sullivan	Commissioner
John Tuma	Commissioner

In the Matter of Minnesota Power's Petition for Approval to Track and Defer Lost Large Industrial Customer Sales Resulting from the COVID-19 Pandemic	Docket No. E015/M-20-814

Comments of the Citizens Utility Board of Minnesota

Introduction

On November 4, 2020, Minnesota Power, an operating division of ALLETE, Inc., a Minnesota corporation and "public utility" as defined in Minn. Stat. 216B.02, Subd. 4, (the "Company") filed a petition with the Minnesota Public Utilities Commission (the "Commission"), initiating Docket No. 20-814. The petition (the "Lost Revenues Petition") requests authority to track and record as a regulatory asset lost large industrial customer revenues net of offsetting revenues from market sales ("Net Lost Revenues") that the Company has experienced or anticipates experiencing during the COVID-19 pandemic. Specifically, the Company requests authority to track Net Lost Revenues attributable to the idling of United States Steel's ("U.S. Steel") Keewatin Taconite mine ("Keetac") and the Verso Duluth paper mill ("Verso") "in an amount found to be reasonable and prudent by the Commission in the next rate case or other appropriate proceeding."[1] The Citizens Utility Board of Minnesota ("CUB", "we", "us", "our") respectfully recommends the Commission deny the petition.

We appreciate efforts the Company has made to help residential customers impacted by the pandemic, including the Company's suspension of disconnections for overdue payments. We also acknowledge and commend the Company for considering suggestions CUB and other stakeholders raised when the Company resolved and withdrew its 2019 Rate Case in a way that reduced an overall rate increase and refunded interim rates that had been collected from customers.[2]

However, in filing the Lost Revenue Petition, the Company seeks to shift financial risks away from the Company and onto already struggling ratepayers who have no control over the pandemic or the operation or energy usage of the Company's large industrial customers. The Company has previously navigated economic downturns during which it experienced more significant losses without seeking recovery of lost revenues. Meanwhile, U.S. Steel has now resumed operations, suggesting 2021 revenue losses will not be

[1] Minnesota Power, Petition for Approval, Docket No. E015/M-20-814 (Nov. 4, 2020) at 1 ("Lost Revenues Petition").
[2] Minnesota Power, Petition, Docket No. E015/M20-429 (April 23, 2020) ("Rate Case Resolution Petition").

nearly as significant as the Company suggests in its petition.[3] Finally, we find it unreasonable for the Company to claim a financial need to recover lost revenues from ratepayers while it continues to authorize and pay quarterly dividends to its shareholders at a rate higher than in any recent year. For these reasons, as described in more detail below, the Company does not meet its burden of demonstrating good cause exists to seek deferred accounting of Net Lost Revenues.

I. Timeline of COVID-19-related impacts on the Company

What follows is a timeline of events that relate to the Company's Lost Revenue Petition and the comments presented here. This timeline is derived from publicly available information found in the Company's press releases, Commission filings, Securities and Exchange Commission ("SEC") filings, and media sources, as well as from the Company's responses to our and others' information requests. This timeline is not intended as an exhaustive summary of all COVID-related impacts on the Company; however, it provides details we believe warrant the Commission's consideration as it assesses the Company's Lost Revenue Petition.

At the outset of our comments, we also want to emphasize that Minnesota Power is an operating division, not a separate subsidiary, of ALLETE, Inc. As such, "ALLETE and Minnesota Power are [subject to] the same ownership and control[,] and assets and liabilities of Minnesota Power are the same as ALLETE's for tax and accounting purposes."[4] We use the term "Company" (as defined above) to refer to and include both the ALLETE corporate division(s) that makes SEC filings under the ALLETE, Inc. name and the ALLETE operating division that makes Minnesota Public Utilities Commission filings under the Minnesota Power name. We also recommend that the Commission find ALLETE corporate actions and ALLETE officer statements to be relevant to this docket to the extent they relate to the impact of COVID-19 on the Company's financial health.

- February 14, 2019: The Company filed its 2018 10-K (annual report) with the SEC.[5] The 10-K includes risk factor statements that warn shareholders and investors that, if the Company's large power customers (which include U.S. Steel and Verso) experience an economic downturn, the Company could experience a negative impact on their financial results and operations.[6] The 10-K also lists "pandemic diseases" among several important factors that "could cause [the Company's] actual financial results to differ materially" from projected results.[7]

- November 1, 2019: The Company filed a general rate case (the "2019 Rate Case") seeking Commission approval of a 10.59% rate increase (with an interim rate representing a 7.7% rate increase), with interim rates to be made effective January 1, 2020.[8]

- December 23, 2019: The Commission approved the Company's interim rate proposal, subject to certain modifications.[9]

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[3] Jimmy Lovrien, "US Steel will restart Keetac next month," Duluth News Tribune (Nov. 5, 2020), available at https://www.duluthnewstribune.com/business/energy-and-mining/6750055-US-Steel-will-restart-Keetac-next-month.

[4] Minnesota Power staff, response to Citizens Utility Board of Minnesota information request #9 (Dec. 3, 2020), attached to these comments as Attachment A.

[5] ALLETE, Inc. 2018 10-K Annual Report (filed Feb. 14, 2019), available at https://www.sec.gov/Archives/edgar/data/66756/000006675619000023/ale12312018-10k.htm.

[6] Id. at 25.

[7] Id. at 6.

[8] Minnesota Power, Initial Filing Volume 1 – Notice of change in Rates Interim Petition, Docket No. E-15/GR-19-442 (Nov. 1, 2019).

[9] Minnesota Public Utilities Commission, Order Setting Interim Rates, Docket No. E-015/GR-19-442 (Dec. 23, 2019).

- January 20, 2020: The first case of COVID-19 was reported in Washington state. In the weeks and months that followed, global and U.S. COVID-19 cases reached pandemic levels.

- January 27, 2020: Verso sought a $2 million forgivable loan from the State of Minnesota to help pay for upgrades that would help save its Duluth paper mill from shutting down due to declining demand for paper over the previous five years.[10]

- January 31, 2020: The Company's Board of Directors authorized a quarterly dividend (payable to shareholders on March 1, 2020) of $0.6175 per share – a total quarterly dividend payout of approximately $31.94 million.[11] The dividend amount ($0.6175 per share) represented a 5% increase over quarterly dividend payments made in 2019.[12]

- February 13, 2020: The Company filed its 2019 10-K with the SEC.[13] The 10-K repeats risk factor statements that warn shareholders and investors that a pandemic disease, or economic downturn affecting its large power customers, could negatively impact the Company's operations and financial results.[14]

- March 25, 2020: Governor Walz declared a peacetime state of emergency and issued executive orders directing Minnesotans to remain at home to help slow the spread of COVID-19 within Minnesota.[15]

- April 16, 2020: U.S. Steel announced it would idle the Keetac plant due to lowered demand for iron ore and steel products during the COVID-19 pandemic.[16]

- April 20, 2020: The Company, along with other regulated electric and natural gas service providers in Minnesota, filed a joint petition to request the Commission's authorization to track incremental costs and expenses incurred as a result of COVID-19, and to defer and record such costs as a regulatory asset, subject to recovery in a future proceeding (the "Joint Petitioners' Deferred Accounting Request").[17]

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[10] Brooks Johnson, "Duluth paper mill asking for $2 million state loan to stave off closure," Star Tribune (Jan. 27, 2020), available at https://www.startribune.com/duluth-paper-mill-asing-for-2-million-state-loan-to-stave-off-closure/567333112/.

[11] ALLETE, Inc. Press Release, "ALLETE Board of Directors Raises Quarterly Stock Dividend," (Jan. 31, 2020), available at https://investor.allete.com/news-releases/news-release-details/allete-board-directors-raises-quarterly-common-stock-dividend-4.

[12] Id.

[13] ALLETE, Inc. 2019 10-K Annual Report (filed Feb. 13, 2020), available at https://www.sec.gov/ix?doc=/Archives/edgar/data/66756/000006675620000016/ale12312019-10k.htm.

[14] Id. at 23.

[15] Minn. Exec. No. 20-01 (Walz, Emergency Executive Order 20-01 Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19 (Mar. 13, 2020); Minn. Exec. 20-20 (Walz), Emergency Executive Order 20-20 Directing Minnesotans to Stay at Home (Mar. 25, 2020).

[16] Dee DePass, "Virus slowdown idles Keewatin taconite plant; 375 workers affected," Star Tribune (April 16, 2020), available at https://www.startribune.com/keewatin-taconite-plant-to-idle-due-to-virus-375-workers-affected/569702132/.

[17] Minnesota Regulated Gas and Electric Utilities ("Joint Petitioners"), Joint Petitioners' Request for Deferred Accounting of COVID-19 Related Costs, Docket No. 20-427 (Apr. 20, 2020) ("Joint Petitioners' Deferred Accounting Request").

- April 23, 2020: The Company issued a petition to resolve the 2019 Rate Case (the "Rate Case Resolution Petition").[18] In the petition, the Company proposed reducing the rate increase it had sought in the 2019 Rate Case and refunding to customers all interim rates collected between January 1, 2020 and April 30, 2020.[19] The Company also included in the petition a commitment to not file a new rate case before March 1, 2021.[20]

- April 30, 2020: The Company's Board of Directors authorized a quarterly dividend (payable to shareholders on June 1, 2020) of $0.6175 per share – a total quarterly dividend payout of approximately $32 million.[21] This brought the total authorized shareholder dividend payments in 2020 to approximately $63.94 million.[22]

- May 5, 2020: The Company filed a 10-Q (quarterly report) with the SEC, reporting Quarter 1 net income of $66.3 million and Operating Revenues of $311.6 million.[23]

- May 22, 2020: The Commission issued an order approving Joint Petitioners' Deferred Accounting Request and taking certain other actions related to the COVID-19 pandemic.[24]

- June 9, 2020: Verso Corp. announced it would idle its Duluth paper mill plant indefinitely due to ongoing impacts of the pandemic.[25]

- June 10, 2020: Responding to the Commission's May 22, 2020 order, Joint Petitioners filed comments that provided "an explanation of their proposed accounting methodology for tracking costs and revenues or grants incurred or received as a result of the COVID-19 Pandemic as well as any known and estimated costs and revenues, clearly identified within the specific categories."[26] The Joint Petitioners included among "categories of COVID-19 expenses": "revenue impacts," such as (among other impacts) "sales."[27] The Company also filed its own comments supplementing Joint Petitioners' comments with details unique to the Company.[28]

- June 30, 2020: The Commission issued an Initial Order approving the Company's Rate Case Resolution and resolving the 2019 Rate Case with conditions.[29]

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[18] Minnesota Power, Letter Regarding Suspension of Rate Case and Reduction in Interim Rates, Docket No. E-15/GR-19-442 (April 23, 2020) ("Rate Case Resolution Petition").

[19] Id. at 3.

[20] Id. at 4.

[21] ALLETE, Inc. Press Release, "ALLETE Board of Directors Declares Dividend on Common Stock," (Apr. 30, 2020), available at https://investor.allete.com/news-releases/news-release-details/allete-board-directors-declares-dividend-common-stock-44

[22] This total is the sum of the dividend amounts announced and authorized on January 31, 2020 and April 30, 2020.

[23] ALLETE, Inc. 2020 Q1 10-Q Quarterly Report (filed May 5, 2020) at 7, available at https://www.sec.gov/ix?doc=/Archives/edgar/data/66756/000006675620000044/ale3-31x202010xq.htm

[24] Minnesota Public Utilities Commission, Order Approving Accounting Request and Taking Other Action Related to COVID-19 Pandemic, Docket No. E,G-999/M-20-427 (May 22, 2020) ("Commission May 22, 2020 Order").

[25] Brooks Johnson, "Verso indefinitely idling Duluth paper mill," Star Tribune (June 9, 2020), available at https://www.startribune.com/verso-indefinitely-idling-duluth-paper-mill-putting-235-out-work/571129932/.

[26] Joint Petitioners, Joint Petitioners' Comments, Docket No. E, G-999/M-20-427 (June 10, 2020) at 2 and Attachment A.

[27] Id. at Attachment A, page 3.

[28] Minnesota Power, Comments, Docket No. E, G-999/M-20-427 (June 10, 2020).

[29] Minnesota Public Utilities Commission, Initial Order Approving Petition and Resolving Rate Case With Conditions, Docket No. E-015/GR-19-442 (June 30, 2020).

- July 30, 2020: The Company's Board of Directors authorized a quarterly dividend (payable to shareholders on September 1, 2020) of $0.6175 per share – a total quarterly dividend payout of approximately $32.06 million.[30] This brought the total authorized dividends paid in 2020 to approximately $95.99 million.[31]

- August 5, 2020: The Company filed a 10-Q (quarterly report), reporting Quarter 2 net income of $20.1 million and Operating Revenues of $243.2 million.[32]

- August 7, 2020: The Commission issued an order approving the Company's Rate Case Resolution Petition and resolving the 2019 Rate Case with conditions.[33]

- October 30, 2020: The Company Board of Directors authorized a quarterly dividend (payable to shareholders on December 1, 2020) of $0.6175 per share – a total quarterly dividend payout of approximately $32.12 million.[34] This brought the total authorized dividends paid in 2020 to approximately $128.12 million.[35]

- November 4, 2020: The Company filed its Lost Revenues Petition.[36]

- November 5, 2020: United States Steel Corp announced that it would restart the Keetac facility by mid-December 2020.[37]

- November 9, 2020: The Company filed a 10-Q (quarterly report), reporting Quarter 3 net income of $40.7 million and Operating Revenues of $293.9 million.[38]

- December 11, 2020 (approximately): Keetac resumed operations.[39]

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[30] ALLETE, Inc. Press Release, "ALLETE Board of Directors Declares Dividend on Common Stock," (July 30, 2020), available at https://investor.allete.com/news-releases/news-release-details/allete-board-directors-declares-dividend-common-stock-45.

[31] This total is the sum of the dividend amounts announced and authorized on January 31, 2020, April 30, 2020, and July 30, 2020.

[32] ALLETE, Inc. 2020 Q2 10-Q Quarterly Report (filed Aug. 5, 2020) at 7, available at https://www.sec.gov/ix?doc=/Archives/edgar/data/66756/000006675620000072/ale-20200630.htm.

[33] Minnesota Public Utilities Commission, Order Approving Petition and Resolving Rate Case With conditions, Docket No. E-015/GR-19-442 (Aug. 7, 2020) ("Commission Aug. 7, 2020 Order").

[34] ALLETE, Inc. Press Release, "ALLETE Board of Directors Declares Dividend on Common Stock," (Oct. 30, 2020), available at https://investor.allete.com/news-releases/news-release-details/allete-board-directors-declares-dividend-common-stock-46

[35] This total is the sum of the dividend amounts announced and authorized on January 31, 2020, July 30, 2020, and October 30, 2020.

[36] Minnesota Power, Petition for Approval, Docket No. E-15/M-20-814 (Nov. 4, 2020) ("Lost Revenues Petition").

[37] Lee Blomquist, "Keetac keying up for restart," BusinessNorth (Nov. 5, 2020), available at http://www.businessnorth.com/daily_briefing/keetac-keying-up-for-restart/article_f6de9fee-1fcb-11eb-b33d-0f40adf7739a.html.

[38] ALLETE, Inc. 2020 Q3 10-Q Quarterly Report (filed Nov. 11, 2020) at 7, available at https://www.sec.gov/ix?doc=/Archives/edgar/data/66756/000006675620000082/ale-20200930.htm.

[39] Site Staff, "Keetac Mine Restarts Production" Fox21 Local News (Dec. 11, 2020), available at https://www.fox21online.com/2020/12/11/keetac-mine-restarts-production/

II. Applicable Legal Standard

The Company cites Minn. Stat. § 216B.10 and Minn. Rule 7825.0300, Subp. 4 as providing legal grounds supporting its Lost Revenues Petition.[40] Minn. Stat. § 216B.10, Subd. 1 grants the Commission authority to establish a system of accounts to be kept by public utilities subject to its jurisdiction. Minn. Rule 7825.0300, Subp. 4 provides that a "public utility may petition the commission for approval of an exception to a provision of the system of accounts [and that] such exception shall be granted to the public utility for good cause shown." The Company further notes that the Commission may make a determination of "good cause" for deferred accounting based upon a four-factor test derived from prior Commission orders, public policy-goal justifications, or other criteria more appropriate for "the specific facts of the case."[41] We recommend that the Commission find each of these legal standards applicable to the Company's Lost Revenues Petition, subject to the following additional comments.

1. <u>The "four-factor test" cited in the Company's petition provides useful guidance but not binding precedent the Commission is required to apply.</u>

The Company cites a four-factor test as an example of a legal standard the Commission has previously employed when considering deferred accounting petitions.[42] In 2017, the Commission issued an order granting Minnesota Energy Resources Corporation ("MERC") deferred accounting treatment for certain expenses it incurred replacing aging, customer-owned fuel lines with new, utility-owned lines.[43] The Commission found good cause existed to authorize deferred accounting of expenses MERC incurred under those circumstances because the expenses: (1) related to utility operations for which ratepayers have incurred costs or received benefits; (2) were significant in amount; (3) were unforeseen, unusual, or extraordinary; and (4) were subject to review for reasonableness and prudence. This four-factor test seems to have evolved out of a slightly simpler, three-factor test the Commission had previously utilized when authorizing deferred accounting for: (1) significant and unusual disputed items that (2) are related to utility operations, (3) for which ratepayers have incurred costs or received benefits.[44]

Parties have cited the four-factor test employed in the MERC docket in arguments for or against deferred accounting requests filed in several recent dockets. Notably, Xcel Large Industrials recently argued before the Minnesota Court of Appeals that the Commission acted arbitrarily and capriciously when granting a deferred accounting petition *without* considering this four-factor test.[45] The Court was unpersuaded by this argument, noting in its opinion that the Commission "did not [...] suggest [in its 2017 order] that these four criteria must always be met before a deferred-accounting request may be granted."[46] With this in mind, we recommend the Commission consider the four-factor test as potentially helpful guidance, but not as binding precedent the Commission is required to follow.

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[40] Lost Revenues Petition at 1.

[41] Lost Revenues Petition at 21.

[42] Id.

[43] Id., citing Minnesota Public Utilities Commission, Order Approving Phase 1 of Farm Tap Replacement Project with Conditions, Docket No. G-011/M-17-409 (Nov. 30, 2017) ("MERC Farm Tap Replacement Order") at 9-10.

[44] See, e.g., Minnesota Public Utilities Commission, Findings of Fact, Conclusions of Law, and Order, Docket No. E-002/GR-92-1185 (Sept. 7, 2001) at 60.

[45] In the Matter of Xcel Energy's Petition for Approval of a Residential EV Subscription Service Pilot Program, A20-0116, State of Minnesota In Court of Appeals (Sept. 21, 2020) at 30 (unpublished opinion).

[46] Id. at 32.

2. <u>The Commission has consistently considered whether utilities' deferred accounting requests involve substantial costs incurred to meet Important public policy mandates.</u>

The Company also notes that the Commission has previously authorized deferred accounting when utilities have incurred substantial expenses "to meet important public policy mandates."[47] Indeed, in our review of prior deferred accounting requests, we found that the Commission has consistently applied this broader, public-policy-oriented standard.[48] Therefore, we recommend that the Commission consider whether lost revenues at issue in the Company's petition were (1) substantial and (2) incurred to meet important policy mandates.

3. <u>"Other standards" that apply to this request include overarching, long-standing legal standards requiring utilities to charge rates that are just and reasonable.</u>

Finally, the Company notes that the Commission may consider other criteria more appropriate for the "specific facts of the case."[49] We agree and believe it is important to ground analysis of the Company's Lost Revenue Petition in long-standing public policy and regulatory standards designed to balance utilities' interests in earning a reasonable return against ratepayers' interest in paying just and reasonable rates. Specifically, Minn. Stat. § 216B.03 provides:

> Every rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable. Rates shall not be unreasonably preferential, unreasonably prejudicial, or discriminatory, but shall be sufficient, equitable, and consistent in application to a class of consumers. [...] Any doubt as to reasonableness should be resolved in favor of the consumer.

In support of its Lost Revenues Petition, the Company cites several instances when the Commission has authorized alternative ratemaking methods in other contexts.[50] Several of the methods cited – e.g., decoupling and sales true-up mechanisms – reflect recent trends among regulatory commissions and some legislatures to explore alternative ratemaking methods.[51] Regardless of the merits or flaws of any such methods, "it is the result reached, not the method employed, which is controlling" in determining whether rates are just and reasonable.[52]

[47] Lost Revenues Petition at 21.

[48] See, e.g., Minnesota Public Utilities Commission, Order Authorizing Deferred Accounting Treatment Subject to Certain Conditions, Docket No. E,G001/M-08-728 (April 23, 2009) ("Traditionally, deferred accounting has been reserved for costs that are unusual, unforeseeable, and large enough to have significant impact on the utility's financial condition. Deferred accounting has also sometimes been permitted when utilities have incurred sizeable expenses to meet important public policy mandates, such as the farm tap inspection program required by the Commission."); Minnesota Public Utilities Commission, Order Approving Deferred Accounting, Docket No. E002/M-03-1462 (February 25, 2005) ("The Commission recognizes that deferred accounting is a regulatory that is not generally used. It has traditionally been reserved for costs that are unusual, unforeseeable, and large enough to have significant impact on the utility's financial condition. More recently, deferred accounting has been permitted when utilities have incurred sizeable expenses to meet important public policy mandates."); Minnesota Public Utilities Commission, Order Accepting Withdrawal, Granting Deferred Accounting, and Setting Filing Requirements, Docket No. E002/M-09-1488 (December 27, 2010) ("[G]ranting deferred accounting treatment, as the parties recognize, neither guarantees recovery in rates nor creates a presumption of rate-recoverability; it merely reflects a Commission finding that the costs in question are sufficiently large and unforeseeable or of sufficient public-policy importance to warrant deferral for consideration in a later rate-setting proceeding.").

[49] Lost Revenues Petition at 21.

[50] Lost Revenues Petition at 20.

[51] Janice A. Beecher and Steven G. Kihm, Risk Principles for Public Utility Regulators, Michigan State University Press (2016) at 89.

[52] See Federal Power Commission v. Hope Natural Gas Co., 320 U.S. 591 (1944).

The Company seeks deferred accounting treatment of lost revenues attributable to one class of customers (industrial customers) in order to later recover those revenues in a rate case – presumably including from classes of customers other than industrial customers (such as residential ratepayers). This proposal pushes existing alternative ratemaking methodologies into new territory. Therefore, we recommend that the Commission consider the appropriateness of this approach based first and foremost on whether it complies with Minn. Stat. § 216B.03 – not merely whether it is consistent with previously approved alternative ratemaking methods.

In summary, we recommend the Commission consider the following legal standards when evaluating whether to authorize deferred accounting of the Company' lost revenues:

1. Does the Company's petition meet the four-factor test for showing good cause exists to defer accounting of its lost revenues?

2. Did the Company incur substantial lost revenues to meet a public policy mandate?

3. Is it just and reasonable to defer accounting of lost revenues attributable to one class of customers in order to later seek recovery of those lost revenues from other classes of customers?

III. Discussion

1. <u>The Company's application of the four-factor test fails to establish good cause exists to authorize deferred accounting of lost revenues.</u>

The Company argues that its Deferred Accounting Petition meets the four-factor test that the Commission has, at times, utilized to assess prior deferred accounting requests. We disagree, finding the petition fails to meet at least two of the four prongs of this test.

a. Lost revenues resulting from the idling of Keetac and Verso were not unforeseeable, unusual, or extraordinary.

The second prong of the four-factor test is whether costs to be deferred were unforeseeable, unusual, or extraordinary. In its petition, the Company argues that it "could not have anticipated this sudden loss of load and revenue resulting from the indefinite idling of Keetac and Verso."[53] However, this is directly at odds with statements the Company has included in securities filings over the past several years, beginning long before the COVID-19 pandemic became an issue. For example, the Company included the following risk factor in its 2019 10-K annual report, which was filed in February 2020:

> **Our results of operations could be negatively impacted if our taconite, paper and pipeline customers experience an economic downturn, incur work stoppages, fail to compete effectively, experience decreased demand, fail to economically obtain raw materials, fail to renew or obtain necessary permits, or experience a decline in prices for their product.**
>
> Minnesota Power's eight Large Power Customers accounted for 28 percent of our 2019 consolidated operating revenue (24 percent in 2018 and 25 percent in 2017), of which one of these customers accounted for approximately 12 percent of consolidated revenue in 2019 (10 percent in

[53] Lost Revenues Petition at 26.

2018 and in 2017). These customers are involved in cyclical industries that by their nature are adversely impacted by economic downturns and are subject to strong competition in the marketplace. [...]

Accordingly, if our industrial customers experience an economic downturn, incur a work stoppage (including strikes, lock-outs or other events), fail to compete effectively, experience decreased demand, fail to economically obtain raw materials, fail to renew or obtain necessary permits, or experience a decline in prices for their product, there could be adverse effects on their operations and, consequently, this could have a negative impact on our results of operations if we are unable to remarket at similar prices the energy that would otherwise have been sold to such customers (underline emphasis added).[54]

The Company included substantially similar risk factor statements in each of its annual reports filed with the SEC following (at least) years 2018,[55] 2017,[56] 2016,[57] 2015,[58] and 2014,[59] as well as in many quarterly (10-Q) reports, periodic (8-K) reports, and securities registration statements filed in those years that incorporate by reference risk factors included in the Company's most recent 10-K report.[60] Moreover, in numerous quarterly reports and annual reports the Company has filed since at least February 2011, the Company listed "pandemic diseases" among several "important factors" that "could cause [the Company's] actual financial results to differ materially" from projected results included in its reports.[61] Though we do not dispute that the timing and specific nature of the COVID-19 pandemic was unforeseeable to the Company, the Company clearly foresaw that an economic downturn affecting its large power customers could negatively impact the Company's financial results.

In fact, on at least two recent occasions, the Company directly experienced much more significant lost revenues as a result of economic downturns affecting large power customers. In 2008-2009, the Company saw its large power revenues decline by $111.2 million – over 3.5 times the loss it now claims to experience as a result of Keetac and Verso idling.[62] More recently, in 2014-2016, the Company saw its large power revenues decline by $68.9 million – over twice the losses it now claims to experience.[63] The Company did not seek deferred accounting treatment for lost revenues in either of these prior periods; rather, the Company entered into a rate case in both instances.[64]

Finally, the specific financial impacts of COVID-19 upon Keetac and Verso were foreseeable when the Company filed its Rate Case Resolution Petition. The Company filed this petition one week after U.S. Steel announced it would idle Keetac indefinitely and three days after the Company joined other utilities in

[54] ALLETE, Inc. 2019 Form 10-K (filed Feb. 14, 2020) at 24.

[55] ALLETE, Inc. 2018 Form 10-K (filed Feb 14. 2019) at 25.

[56] ALLETE, Inc. 2017 Form 10-K (filed Feb 15. 2018) at 27.

[57] ALLETE, Inc. 2016 Form 10-K (filed Feb 15. 2017) at 27.

[58] ALLETE, Inc. 2015 Form 10-K (filed Feb 22. 2016) at 27.

[59] ALLETE, Inc. 2014 Form 10-K (filed Feb 17. 2015) at 29.

[60] See, e.g., ALLETE, Inc., Form 8-K (filed Dec. 5, 2019) at 3; ALLETE, Inc., Form 10-Q (filed Nov. 6, 2019) at 49; ALLETE, Inc., S-3ASR Registration Statement (filed July 31, 2019) at 3.

[61] See, e.g., ALLETE, Inc. 2019 Form 10-K (filed Feb. 14, 2020) at 6.

[62] Minnesota Power staff, response to Citizens Utility Board of Minnesota information request #8 (Dec. 3, 2020), attached to these comments as Attachment B.

[63] Id.

[64] See generally, Minnesota Power, Initial Filing – Replacement, Docket E-15/GR-09-1151 (Nov. 2, 2009); Minnesota Power, Initial Filing – Vol 1, Docket 16-664 (Nov. 2, 2016).

requesting the Commission's authorization to track incremental costs and expenses incurred as a result of COVID-19.

Meanwhile, though Verso did not announce the idling of its Duluth paper mill until June 2020, it was widely known that declining demand for paper over the past several years threatened Verso's survival, even prior to the pandemic.[65] In January 2020, the Duluth City Council voted unanimously to contribute $242,000 as a local match to Minnesota Investment Fund dollars awarded to Verso to help prevent the closing of the mill.[66] In a statement announcing the vote, the City Council noted the "dire financial challenges" Verso faced "as a result of industry trends."[67] Verso also recently went through bankruptcy proceedings in 2016 and was forced to close a plant in western Maryland in 2019 due to "the continuing decline in demand for the grades of paper manufactured there."[68] The Company alluded to this declining demand for paper in securities filings made prior to the onset of the pandemic. For example, in its annual report filed for 2019, the Company noted that "the North American paper and pulp industry [...] faces declining demand due to the impact of electronic substitution for print and changing customer needs[, and, as] a result, certain paper and pulp customers have reduced their existing operations in recent years[.]"[69]

In summary, the Company clearly knew, or should have known, it would experience lost revenues linked to lower demand from large power customers when it withdrew its 2019 Rate Case and committed to staying out of a new rate case until at least March 1, 2021. It is unreasonable for the Company to now claim those lost revenues were unforeseeable in order to try to recover them in a future rate case.

b. The Company's losses are not substantial.

The third prong of the four-factor test is whether costs to be deferred are substantial. In its petition, the Company refers to lost revenue from Keetac and Verso as "a significant portion of Minnesota Power's overall revenue" that "has created an irrefutable revenue deficiency that will prevent Minnesota Power from earning a reasonable return on its investment in equipment necessary to provide the public with adequate, efficient, and reliable service."[70] However, this statement is inconsistent with actions and statements of the Company's Board of Directors and corporate officers.

First, the Company's Board of Directors has, so far, been undeterred in authorizing $32 million in dividends to shareholders in each quarter of 2020 – dividends calculated using a rate-per-share that is 5% higher than the rate used to calculate dividends in 2019.[71] Notably, the Board authorized a 2020 Quarter 2 dividend that represented 159% of the net income the Company reported earning in that quarter.[72] It is, in our view,

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[65] See, e.g., Brooks Johnson, "Duluth paper mill asking for $2 million state loan to stave off closure," Star Tribune (Jan. 27, 2020), available at https://www.startribune.com/duluth-paper-mill-asing-for-2-million-state-loan-to-stave-off-closure/567333112/.

[66] Id.

[67] Id.

[68] Id.

[69] Allete, Inc. 2019 Form 10-K (filed Feb. 14, 2020) at 23 (emphasis added).

[70] Lost Revenues Petition at 26.

[71] See ALLETE, Inc., Press Release (Jan. 30, 2020) (authorizing a 5% increase in dividend rate-per-share as compared to dividend rate-per-share authorized in 2019).

[72] We calculated this percentage by comparing: (1) the Company's shareholder dividend authorized on July 30, 2020; (2) the amount of outstanding shares listed in the Company's 10-Q filed for 2020 Quarter 2; and (3) the amount of net income reported in the Company's 10-Q for Quarter 2. See ALLETE, Inc. Press Release, "ALLETE Board of Directors Declares Dividend on Common Stock," (July 30, 2020), available at https://investor.allete.com/news-releases/news-release-details/allete-board-directors-declares-dividend-common-stock-45; See also, ALLETE, Inc. 2020 Q2 10-Q Quarterly Report (filed Aug. 5, 2020) at 7, available at https://www.sec.gov/ix?doc=/Archives/edgar/data/66756/000006675620000072/ale-20200630.htm

unacceptable for the Company to suggest its financial condition supports continuing to issue $32 million in dividends each *quarter*, while simultaneously claiming up to $32 million in lost revenue over the course of an entire year constitutes a substantial revenue deficiency impacting its ability to generate a reasonable return for its shareholders.

Second, the Lost Revenue Petition overstates the amount of lost revenue it will likely experience. The day after the Company filed its November 4, 2020 Lost Revenue Petition, U.S. Steel announced that it would restart the Keetac facility by mid-December 2020.[73] Four days after that, the Company's Senior Vice President and Chief Financial Officer said the following in a Quarter 3 earnings call with the Company's shareholders:

> As [ALLETE, Inc. President and Chief Executive Officer,] Bethany [Owen] mentioned, U.S. [Steel] Corporation has indicated a restart to Keetac. And well, it's just great news. Any impact on 2020 is expected to be immaterial at this time.[74]

Meanwhile, U.S. Steel has submitted new demand nominations to the Company[75] **[TRADE SECRET BEGINS** [redacted][76] **TRADE SECRET ENDS**]. This demonstrates that the Company's losses related to Keetac's idling will be much less significant than suggested in the Company's petition, leaving only Verso's idling as relevant to the petition.

Finally, as stated previously, the Company has previously navigated periods when revenue losses were far more significant than what the Company describes now. On those occasions, the Company did not seek deferred accounting treatment for lost revenue, opting instead for the traditional approach of entering into a rate case.

2. The Company has not identified a public policy mandate that requires the Company to collect less revenue.

The Company cites Governor Walz's orders declaring a peacetime public health emergency and imposing certain restrictions to help control the spread of the COVID-19 virus as justifying deferred accounting of lost revenues.[77] We agree that the Governor's orders create an important public policy mandate. However, this public policy mandate differs considerably from public policy mandates underlying other deferred accounting requests the Commission has authorized.

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[73] Lee Blomquist, "Keetac keying up for restart," BusinessNorth (Nov. 5, 2020), available at http://www.businessnorth.com/daily_briefing/keetac-keying-up-for-restart/article_f6de9fee-1fcb-11eb-b33d-0f40adf7739a.html.

[74] ALLETE, Inc., Q3 2020 Earnings Call (Nov. 9, 2020), transcript available at https://www.fool.com/earnings/call-transcripts/2020/11/09/allete-ale-q3-2020-earnings-call-transcript/. See also, audio recording of the Nov. 9, 2020 Earnings Call available at https://investor.allete.com/events-presentations.

[75] Minnesota Power response to CUB information requests 2-7 (which includes trade secret data) (Dec. 10, 2020), attached as Attachment C in the unredacted, trade secret version of CUB's Comments.

[76] Id.

[77] Lost Revenues Petition at 3.

a. The Governor's COVID-19-related orders did not directly cause the expenses the Company seeks to defer.

First, the Governor's orders did not directly cause the Company to lose large power revenues. The terms of the Governor's peacetime emergency caused certain Minnesota businesses to suspend operations. This may have temporarily contributed to the decreased demand for steel and paper that caused U.S. Steel and Verso to suspend operation of their taconite and paper facilities, but the Governor's orders were certainly not the only or primary cause of such declining demand. As described above, demand for paper products has declined considerably and consistently over the past five years. The steel industry, too, is known for being cyclical, with demand rising and falling due to changing economic and market conditions.[78] *Any* economic downturn affecting demand for steel or paper could have had the same effect on the Company – as in 2008 and 2014 – regardless of the reason for the downturn.

By comparison, in prior instances the Company cites as examples of the Commission granting deferred accounting, the utility had incurred expenses to *directly* meet a public policy mandate. For example, the Commission previously granted deferred accounting for expenses utilities incurred: (1) to replace aging and potentially dangerous customer-owned gas lines with utility-owned lines;[79] (2) to make "extraordinary efforts" to restore power to 15,000 customers experiencing flood-related power outages;[80] (3) to comply with a state statute requiring utilities to propose, then construct and install, new utility facilities within Minnesota's Central Corridor;[81] (4) to comply with a Commission order requiring the utility to design a time-of-use rate pilot program;[82] (5) to comply with a state statute that required the utility to file a tariff that allows a customer to purchase electricity solely for the purpose of recharging an electric vehicle;[83] and (6) to comply with a state statute designed to reduce mercury emissions.[84]

While the Company did incur some expenses to directly meet public policy mandates related to COVID-19 (e.g., suspending late fees and disconnections in response to the Commission's order to do so), the Commission has already authorized deferred accounting treatment for those expenses. The Company has not identified a legislative, administrative, or regulatory mandate that directly required the Company to collect less revenue from large power customers to further a public policy interest.

b. The Company seeks deferred accounting of lost revenues, not expenses.

Second, as far as we know, the Commission has not previously authorized a utility to defer *lost revenues* (as opposed to expenses) incurred in furtherance of a public policy mandate. We recommend that the Commission look to other state utilities commissions that have addressed petitions requesting deferred accounting treatment for lost revenues utilities claim to have experienced as a result of COVID-19.

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78 See, e.g., Frost & Sullivan, "Challenges and Opportunities in the Steel Industry" (April 4, 2019), available at https://ww2.frost.com/frost-perspectives/challenges-and-opportunities-steel-industry8.

79 Minnesota Public Utilities Commission, Order Approving Phase 1 of Farm Tap Replacement Projects with Conditions, Docket No. G-011/M-17-409 (Nov. 30, 2017).

80 Minnesota Public Utilities Commission, Order Authorizing Deferred Accounting Treatment Subject to Conditions, Docket No. E-G001/M-08-728 (April 23, 2009).

81 Minnesota Public Utilities Commission, Order Accepting Withdrawal, Granting Deferred Accounting, And Setting Filing Requirements, Docket No. E-002/M-09-1488 (Dec. 27, 2010.)

82 Minnesota Public Utilities Commission, Docket No. E-002/M-03-1462 (Feb. 25, 2005).

83 Minnesota Public Utilities Commission, Order Approving Pilots with Modifications, Authorizing Deferred Accounting, and Setting Reporting Requirements, Docket No. E-002/M-18-643 (July 17, 2019).

84 Docket No. E-002/M-06-1315 (Jan. 31, 2007).

i. Indiana

In May 2020, ten gas and electric companies operating in Indiana petitioned the Indiana Utility Regulatory Commission (the "IURC") for permission to recover revenue shortfalls linked to the COVID-19 pandemic.[85] The Indiana utilities claimed that effects of the pandemic, including government orders and businesses closing, resulted in "significantly reduced load and revenues for some utilities."[86] The IURC voted unanimously to deny the request, noting the following in an order issued on June 29, 2020:

> Under the regulatory compact, at a base level, utilities are obligated to provide safe, reliable service and customers are obligated to pay just and reasonable rates for any such service they receive. The balance of this Order seeks to work toward allowing customers to meet their obligation while providing utilities the reasonable relief they need to help such customers do so. However, asking customers to go beyond their obligation and pay for service they did not receive is beyond reasonable utility relief based on the facts before us. A utility's customers are not the guarantors of a utility earning its authorized return. Instead, utilities are given the opportunity to recover their costs and a fair rate of return, which includes a certain level of risk attributable to variable sales.[87]

Ultimately, the IURC authorized Indiana utilities to "use regulatory accounting for COVID-19 related impacts directly associated with any prohibition on utility disconnections, collection of certain utility fees [...] and the use of expanded payment arrangements, as well as COVID-19 related uncollectible incremental bad debt expense.[88] However, the IURC denied petitioners' request for "regulatory accounting authority for O&M expenses, financial costs, pension expense, and lost revenues related to customer load reductions[.]"[89]

ii. Wisconsin

In March 2020, the Public Service Commission of Wisconsin (the "WIPSC") requested that Wisconsin utilities identify how they intended to track "foregone revenues" linked to COVID-19 – and that the utilities propose accounting treatment for those foregone revenues.[90] In response, several utilities requested that the Commission authorize deferred accounting for "foregone revenues."[91]

Like the IURC in Indiana, the WIPSC authorized deferred accounting treatment for foregone revenue associated with certain temporary authorized waivers related to late payment fees, disconnections, deferred payment agreements, and cash deposits; however, it declined to include in its authorization "declining sales revenue" as a component of forgone revenue deferred for later recovery.[92]

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[85] Duke Energy Indiana, LLC et. Al, Verified Joint Petition, Indiana Utility Regulatory Commission Cause No. 45377 (May 8, 2020) ("Indiana Joint Petition").

[86] Id. at 11.

[87] Indiana Utility Regulatory Commission, Phase 1 and Interim Emergency Order of the Commission, Indiana Utility Regulatory Commission Cause No. 45377 (June 29, 2020) at 9, available at https://www.in.gov/iurc/files/45380Phase1_ord_062920.pdf.

[88] Id. at 9-10.

[89] Id. at 10.

[90] Public Service Commission of Wisconsin, Order, Docket No. 5-UI-120 (March 24, 2020).

[91] Public Service Commission of Wisconsin, Supplemental Order - First, Docket No. 5-AF-105 (May 14, 2020) at 3 (citing several utilities' deferred accounting requests).

[92] Id. at 3-4, 7.

iii. Michigan

In April 2020, the Michigan Public Service Commission ("MPSC") issued an order requiring Michigan public utilities to provide certain protections related to bill payment and disconnection of service for vulnerable customers in their service territory.[93] The order also asked utilities to report on COVID-19-related costs and options for tracking such costs and recovering them from customers.

At least one utility, Michigan Electric and Gas Association, filed comments suggesting (among other things) that the MPSC consider the tracking and deferring amounts associated with foregone revenue beyond uncollectible expenses.[94] The MPSC denied this request, noting in its order:

> [W]hile the Commission recognizes that there are costs that may be extraordinary from the standpoint that they are outside the utility's control and were not considered when setting the utility's current rates, there may also be unforeseen savings or revenues, as well as deliberate cost-saving measures taken by the utility to mitigate the financial impacts of COVID-19 over the course of this year. The Commission cannot consider one side of the equation – that is, cost increases – in isolation and not have a fuller picture of the utility's overall financial conditions. Therefore, the Commission denies the utilities' request to grant accounting deferrals for additional categories of expenses beyond uncollectible expense.[95]

We recommend that the Commission take a similar approach to its counterparts in Indiana, Wisconsin and Michigan to deny deferred accounting of lost revenues under these circumstances.

3. <u>By seeking to defer lost revenues for recovery from ratepayers, the Company defies other public policy mandates to charge just and reasonable rates of ratepayers</u>.

We also recommend that the Commission consider public policy mandates that require utilities to charge ratepayers reasonable rates – a policy that requires the Commission to balance ratepayer interests against a utility's right to earn a reasonable rate of return.

In an investor presentation dated December 2020 available on the Company's website, the Company notes under the heading "Financial Discipline in Action" that it's financial strategy includes a dividend payout ratio (the total amount of dividends paid out to shareholders relative to the net income of the Company) of 60-65%.[96] The slide notes under the same heading, that "business segments must achieve their targeted rates of return and support the dividend."[97] The context of these statements is telling. Because they are included in a presentation geared towards attracting and retaining investors, the statements imply that, by exercising financial discipline (including ensuring business segments, such as Minnesota Power, achieve their targeted rates of return), the Company is able to sustain attractive dividend payout ratios of 60-65%. In the same presentation, the Company notes its 2020 payout ratio is 74% – a higher ratio than in any other year since 2011 (when it was also 74%).[98] This suggests that, despite the current economic downturn, the Company is

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[93] Michigan Public Service Commission, Order, Case No. U-20757 (April 15, 2020).

[94] Michigan Public Service Commission, Order, Case No. U-20757 (July 23, 2020) at 15, available at https://mi-psc.force.com/sfc/servlet.shepherd/version/download/068t000000D7FkoAAF.

[95] Id. at 29.

[96] ALLETE, Inc., Investor Presentation - December 2020 (last accessed Dec. 8, 2020) at slide 29, available at https://investor.allete.com/static-files/190b5c32-3f6f-469e-b007-0c593a777444.

[97] Id.

[98] Id. at slide 28.

stretching its own "financial discipline" standards to ensure it continues to deliver steady distributions to its shareholders.

As noted by the Indiana Commission, "[a] utility's customers are not the guarantors of a utility earning its authorized return."[99] The Company's securities filings have repeatedly made clear to shareholders that their investment is subject to the risk that an economic downturn affecting its large power customers could impact the Company's revenues and operations. Shareholders earn a return in exchange for *choosing* to take on that risk. Captive customers have no such choice. Now that this risk has materialized, it would be highly unreasonable for the Company to ask ratepayers to bear the consequences so that the Company can continue to pay high-payout-ratio, uninterrupted quarterly dividends to its shareholders.

Moreover, if approval of the Lost Revenue Petition permits the Company to recover lost revenue from residential ratepayers in a future rate case, this result would further exacerbate the already unequal effects of the pandemic on vulnerable Minnesotans. The Company's residential ratepayer base includes Minnesotans residing in the following counties (among others): St. Louis, Morrison, Itasca, Koochiching, Crow Wing, Aitkin and Cass.[100] According to recent U.S. census data and Minnesota Department of Employment and Economic Development (DEED) data, the below statistics suggest many of the Company's residential ratepayers are already struggling financially.

County	**Median Income (in 2018 dollars)**[101]	**% of population living in poverty**[102]	**Peak unemployment rate in 2020**[103]	**Unemployment as of Oct 2020**[104]
St. Louis	$53,344	14.7%	11.4%	4.4%
Morrison	$62,790	10.1%	9.1%	3.6%
Itasca	$59,508	11.8%	12.2%	5.5%
Koochiching	$47,129	14.9%	10.7%	4.2%
Crow Wing	$30,900	12.6%	11.1%	3.7%
Aitkin	$45,989	13.7%	11.4%	4.3%
Cass	$50,173	12.9%	13.3%	4.6%
MN Statewide	$68,422	9.6%	9.4%	3.9%

[99] Indiana Utility Regulatory Commission, Phase 1 and Interim Emergency Order of the Commission, Indiana Utility Regulatory Commission Cause No. 45377 (June 29, 2020) at 9.

[100] See Minnesota Power Service Territory Coverage Map (last accessed Dec. 8, 2020), available at https://www.mnpower.com/Company/CoverageMap.

[101] United States Census Bureau, QuickFacts (last accessed Dec. 8, 2020), available at https://www.census.gov/quickfacts/fact/table/casscountyminnesota,aitkincountyminnesota,crowwingcountyminnesota,crowleycitylouisiana,koochichingcountyminnesota,MN/PST045219.

[102] Poverty data by county, IndexMundi.com (last accessed Dec. 8, 2020) available at https://www.indexmundi.com/facts/united-states/quick-facts/minnesota/percent-of-people-of-all-ages-in-poverty#map.

[103] Minnesota Department of Employment and Economic Development, Minnesota Unemployment Statistics LAUS (Local Area Unemployment Statistics Data) (last accessed Dec. 8, 2020), available at https://apps.deed.state.mn.us/lmi/laus/.

[104] Minnesota Department of Employment and Economic Development, Minnesota Unemployment Statistics LAUS (Local Area Unemployment Statistics Data) (last accessed Dec. 8, 2020), available at https://apps.deed.state.mn.us/lmi/laus/.

The Company's customers have no control over the pandemic or the business operations and energy demand of the Company's industrial customers. They should not be asked to pay for utility services they neither demanded nor received. Utilizing a novel accounting practice that enables the Company to recover lost revenues from ratepayers in order to sustain aggressive, extraordinary dividend payout ratios is clearly inequitable, unreasonable and unjust. Such an action favors the Company and its shareholders over its captive consumers, contrary to the clear direction of Minnesota Statute 216B.03 that "[a]ny doubt as to reasonableness [of utility rates] should be resolved in favor of the consumer."

Conclusion

The Company has failed to demonstrate good cause for the Commission to grant deferred accounting of lost revenues it experienced as a result of the idling of the Keetac and Verso facilities. If deferred accounting of these lost revenues is authorized, the Company would unreasonably shift risk from the Company and its shareholders to ratepayers. Therefore, we respectfully recommend that the Commission deny the Company's Lost Revenues Petition.

Thank you for your consideration of these comments.

Sincerely, January 4, 2021

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Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E St. Paul, MN 55106	Electronic Service	No	SPL_SL_20-814_Special Service List
Emily	Marshall	emarshall@mojlaw.com	Miller O'Brien Jensen, PA	120 S. 6th Street Suite 2400 Minneapolis, Minnesota 55402	Electronic Service	No	SPL_SL_20-814_Special Service List
Keith	Matzdorf	keith.matzdorf@sappi.com	Sappi Fine Paper North America	PO Box 511 2201 Avenue B Cloquet, MN 55720	Electronic Service	No	SPL_SL_20-814_Special Service List
Daryl	Maxwell	dmaxwell@hydro.mb.ca	Manitoba Hydro	360 Portage Ave FL 16 PO Box 815, Station Main Winnipeg, Manitoba R3C 2P4 Canada	Electronic Service	No	SPL_SL_20-814_Special Service List
Matthew	McClincy	MMcClincy@usg.com	USG	35 Arch Street Clouqet, MN 55720	Electronic Service	No	SPL_SL_20-814_Special Service List
Craig	McDonnell	Craig.McDonnell@state.mn.us	MN Pollution Control Agency	520 Lafayette Road St. Paul, MN 55101	Electronic Service	No	SPL_SL_20-814_Special Service List
Natalie	McIntire	natalie.mcintire@gmail.com	Wind on the Wires	570 Asbury St Ste 201 Saint Paul, MN 55104-1850	Electronic Service	No	SPL_SL_20-814_Special Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Joseph	Meyer	joseph.meyer@ag.state.mn.us	Office of the Attorney General-RUD	Bremer Tower, Suite 1400 445 Minnesota Street St Paul, MN 55101-2131	Electronic Service	No	SPL_SL_20-814_Special Service List
David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022093	Electronic Service	No	SPL_SL_20-814_Special Service List
Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP	33 South Sixth St Ste 4200 Minneapolis, MN 55402	Electronic Service	Yes	SPL_SL_20-814_Special Service List
James	Mortenson	james.mortenson@state.mn.us	Office of Administrative Hearings	PO BOX 64620 St. Paul, MN 55164-0620	Electronic Service	No	SPL_SL_20-814_Special Service List
Evan	Mulholland	emulholland@mncenter.org	Minnesota Center for Environmental Advocacy	1919 University Ave W Ste 515 Saint Paul, MN 55101	Electronic Service	No	SPL_SL_20-814_Special Service List
David	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	220 South Sixth Street Suite 1300 Minneapolis, Minnesota 55402	Electronic Service	No	SPL_SL_20-814_Special Service List
Michael	Noble	noble@fresh-energy.org	Fresh Energy	Hamm Bldg., Suite 220 408 St. Peter Street St. Paul, MN 55102	Electronic Service	No	SPL_SL_20-814_Special Service List
Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	SPL_SL_20-814_Special Service List
M. William	O'Brien	bobrien@mojlaw.com	Miller O'Brien Jensen, P.A.	120 S 6th St Ste 2400 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_20-814_Special Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Christopher J.	Oppitz	N/A	-	110 1/2 1ST ST E Park Rapids, MN 56470-1695	Paper Service	No	SPL_SL_20-814_Special Service List
Elanne	Palcich	epalcich@cpinternet.com	Save Our Sky Blue Waters	P.O. Box 3661 Duluth, MN 55803	Electronic Service	No	SPL_SL_20-814_Special Service List
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William	Phillips	wphillips@aarp.org	AARP	30 E. 7th St Suite 1200 St. Paul, MN 55101	Electronic Service	No	SPL_SL_20-814_Special Service List
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Tolaver	Rapp	Tolaver.Rapp@cliffsnr.com	Cliffs Natural Resources	200 Public Square Suite 3400 Cleveland, OH 441142318	Electronic Service	No	SPL_SL_20-814_Special Service List
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	SPL_SL_20-814_Special Service List
Kevin	Reuther	kreuther@mncenter.org	MN Center for Environmental Advocacy	26 E Exchange St, Ste 206 St. Paul, MN 551011667	Electronic Service	No	SPL_SL_20-814_Special Service List
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Buddy	Robinson	buddy@citizensfed.org	Minnesota Citizens Federation NE	2110 W. 1st Street Duluth, MN 55806	Electronic Service	No	SPL_SL_20-814_Special Service List
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Doug	Shoemaker	dougs@charter.net	Minnesota Renewable Energy	2928 5th Ave S Minneapolis, MN 55408	Electronic Service	No	SPL_SL_20-814_Special Service List
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Richard	Staffon	rcstaffon@msn.com	W. J. McCabe Chapter, Izaak Walton League of America	1405 Lawrence Road Cloquet, Minnesota 55720	Electronic Service	No	SPL_SL_20-814_Special Service List
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Scott	Zahorik	scott.zahorik@aeoa.org	Arrowhead Economic Opportunity Agency	702 S. 3rd Avenue Virginia, MN 55792	Electronic Service	No	SPL_SL_20-814_Special Service List