

NOTICE OF COMMENT PERIOD

Issued: June 8, 2021

In the Matter of a Proposal by Northern States Power Company d/b/a Xcel Energy to Offer an Unregulated Energy Infrastructure and Sustainability Program for Business Customers

PUC Docket Number: E,G-002/M-21-329

Comment Period: Initial comment period closes **July 8, 2021** at 4:30pm
Reply comment period closes **July 19, 2021** at 4:30pm

Comments received after the close of the comment period may or may not be considered by the Commission.

- Issues:** What action should the Commission take on the May 12, 2021 Informational Notice Informing the Commission of Xcel Energy's New Non-Regulated Offerings?
- a. Are the proposed new services discussed in the filing, and the scope of their impact, sufficiently described and understood?
 - b. Is the proposal to embed these new non-regulated service offerings within its regulated utility operations fair and reasonable for its regulated ratepayers and to potential competitors who provide the same or similar services?

Topics Open for Comment:

Procedural and Scope Issues:

1. Should the Commission treat Xcel Energy's May 12, 2021 submission as informational only, not requiring Commission action, as requested by the Company? Even if so, is there additional information or reporting that should be requested from Xcel Energy?
2. Alternatively, should the submission be treated as a miscellaneous filing requiring Commission review and approval? Or some alternative procedural treatment?
3. What is the scope of the Commission's authority to approve, deny, modify, or condition Xcel Energy's proposed new service offerings? Please include references to specific statutes rules, court decisions, and Commission orders when possible.
4. If the Commission determines that review and approval of Xcel's new services are needed, does the May 12 submission contain adequate information? If not, what additional information is needed?

Cost Separations and Code of Conduct Considerations:

5. Does the cost-separation framework set out in the Commission’s September 28, 1994 Order in Docket No. G,E-999/CI-90-1008 and in subsequent Xcel rate case orders (E002-GR-92-1185, G002-GR-92-1186, and G002/GR-97-1606) provide adequate guidance for determining cost separations between regulated and non-regulated operations for these proposed services?
6. What additional protections are needed to assure that non-participating Xcel ratepayers are not subsidizing these proposed services directly or indirectly?
7. Should the Company be allowed to use its Northern States Power or Xcel Energy name in association with marketing and providing any of the service offerings?
8. Should Xcel Energy’s regulated account managers or other employees who interact with customers in a regulated capacity be allowed to promote or provide support for these services?
9. Should the non-regulated Xcel Energy entities and personnel have access to any of Xcel Energy’s data on its natural gas or electric system and grid, or customer energy usage information, that is not publicly available to other potential providers of similar services?

Nature of the Proposed Service Offerings and Competitive Considerations:

10. Are any of the services proposed to be offered by Xcel Energy in its May 12 submission currently available to Xcel’s commercial customers in Minnesota from other for-profit or non-profit entities? If not offered now, are such services likely to be offered by other entities in the near future?
11. What existing regulated and non-regulated services (for example CIP programs or activities of Energy Impact Partners) could be impacted by the proposed service offerings?
12. Should any or all of the new services proposed by Xcel Energy be offered instead as tariffed, regulated services? What definition of “utility service” should be applied and considered with respect to these offerings?
13. Should any or all the new services proposed by Xcel Energy be offered instead through a separate subsidiary, rather than “below the line” as part of the utility?
14. Are there other issues or concerns related to this matter?

Background

On May 12, 2021, Xcel Energy filed what it termed a Notice “Informing the Commission of Xcel Energy’s New Non-Regulated Offerings.” The program offerings to businesses would include the following: Facility Management; Testing, Maintenance, and Training; Benchmarking; and Sustainability. Xcel stated that they were submitting the filing for informational purposes only and not requesting any Commission action. However, to the extent the Commission believes it is necessary to approve the Company’s proposed accounting treatment for this program, Xcel Energy requested such approval.

An abbreviated description of the proposed service offerings based on Xcel Energy's filing include:

- **Facility Management Services:** Recommend and implement improvements or upgrades to commercial facilities. The Company would provide recommendations on repairs or upgrades that could reduce energy consumption, and implement solutions including managing the engineering design, equipment procurement and installation, and ongoing monitoring, and may also finance certain equipment or system upgrades.
- **Testing, Maintenance and Training Services:** Provide equipment-related services such testing, preventative maintenance or repairs to commercial equipment and offer training on equipment services to a business' employees.
- **Benchmarking Services:** Assist building owners in complying with municipal benchmarking ordinances. The Company would collect and report the data to local municipalities on the customer's behalf and provide recommendations to business owners on how to improve their benchmarking score.
- **Sustainability Services:** Provide strategic consulting services to help businesses identify ways to integrate sustainability into their core operations, develop a sustainability plan, and provide assistance in implementing that plan.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to file documents using the Commission's electronic filing system (eFiling). All parties, participants and interested persons are encouraged to use eFiling: mn.gov/puc, select *eFiling*, and follow the prompts.

Submit Public Comments:

Online: Visit mn.gov/puc, select Comment and follow the prompts

Email: consumer.puc@state.mn.us

U.S. Mail: Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul MN 55101

Full Case Record: See all documents filed in this docket via the Commission's website at mn.gov/puc, select *Search eDockets*, enter the year (21) and the docket number (329), select *Search*.

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Questions about this docket or Commission process and procedure? Contact Commission staff, Jason Bonnett, at Jason.bonnett@state.mn.us or 651-201-2235.

Change your mailing preferences: Email docketing.puc@state.mn.us or call Leesa Norton at 651-201-2246.

To request this document in another format such as large print or audio, call 651-296-0406 (voice). Consumers with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

CERTIFICATE OF SERVICE

I, Chrishna Beard, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

**Minnesota Public Utilities Commission
NOTICE OF COMMENT PERIOD**

Docket Number **E002/M-21-329**

Dated this 8th day of June, 2021

/s/ Chrishna Beard

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Kristen	Eide Tollefson	healingsystems69@gmail.com	R-CURE	28477 N Lake Ave Frontenac, MN 55026-1044	Electronic Service	No	SPL_SL_21-329_Interested Persons
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Ron	Elwood	relwood@mnlisap.org	Mid-Minnesota Legal Aid	2324 University Ave Ste 101 Saint Paul, MN 55114	Electronic Service	No	SPL_SL_21-329_Interested Persons
Betsy	Engelking	betsy@geronimoenergy.com	Geronimo Energy, LLC	8400 Normandale Lake Blvd Suite 1200 Bloomington, MN 55437	Electronic Service	No	SPL_SL_21-329_Interested Persons

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Eric	Fehlhaber	efehlhaber@dakotaelectric.com	Dakota Electric Association	4300 220th St W Farmington, MN 55024	Electronic Service	No	SPL_SL_21-329_Interested Persons
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Generic Notice	Residential Utilities Division	residential.utilities@ag.stat e.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	SPL_SL_21- 329_Interested Persons
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