

August 2, 2022

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, Minnesota 55101-2147

RE: **Comments of the Minnesota Department of Commerce, Division of Energy Resources**
Docket No. E002/M-21-101

Dear Mr. Seuffert:

On February 1, 2021, Xcel Energy (Xcel or the Company) filed with the Minnesota Public Utilities Commission (Commission) a petition for its load flexibility pilot and financial incentive mechanism. A large portion of this filing was dedicated to demand response programs. The Minnesota Department of Commerce (Department) and other parties submitted comments on Xcel's proposals on June 18, 2021. On March 15, 2022, the Commission issued its *Order Approving Modified Load-Flexibility Pilots and Demonstration Projects, Authorizing Deferred Accounting, and Taking Other Action*, in which the Commission approved Xcel's proposed Peak Flex Credit proposal, but also ordering Xcel to allow third-party aggregators to participate in a second tranche of the Peak Flex Credit pilot, and make a compliance filing within 60 days. On May 27, 2022, the Company submitted a compliance filing (Compliance Filing) detailing their work with Advanced Energy Management Alliance (AEMA) to discuss process and details to allow third-party aggregations to participate in the Peak Flex Credit pilot.

The Company's Compliance filing detailed how the program would work with third party aggregators and included proposed tariff revisions to allow for third parties to participate in the program. The Department reviewed the Company's filing and proposed tariff revisions and does not have any concerns. As the Commission's March 15, 2022 approved the revised Peak Flex Credit Rider pilot and tariff as modified to allow for the participation of third party aggregators, the Department does not believe that a comment period on the Company's proposed tariff modifications is necessary if no parties object. Therefore, the Department recommends that the Commission accept the Company's compliance filing and proposed tariff revisions.

Sincerely,

/s/ MICHAEL N. ZAJICEK
Rates Analyst

MNZ/ja

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Letter**

Docket No. E002/M-21-101

Dated this **2nd** day of **August 2022**

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Gary	Ambach	Gambach@slipstreaminc.org	Slipstream, Inc.	8973 SW Village Loop Chanhassen, MN 55317	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Alison C	Archer	aarcher@misoenergy.org	MISO	2985 Ames Crossing Rd Eagan, MN 55121	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Susan	Arntz	sarntz@mankatomn.gov	City Of Mankato	P.O. Box 3368 Mankato, MN 560023368	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Mara	Ascheman	mara.k.ascheman@xcelenenergy.com	Xcel Energy	414 Nicollet Mall Fl 5 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Jessica L	Bayles	Jessica.Bayles@stoel.com	Stoel Rives LLP	1150 18th St NW Ste 325 Washington, DC 20036	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
David	Bender	dbender@earthjustice.org	Earthjustice	1001 G Street NW Suite 1000 Washington, District of Columbia 20001	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Tracy	Bertram	tbertram@ci.becker.mn.us		12060 Sherburne Ave Becker City Hall Becker, MN 55308-4694	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
James J.	Bertrand	james.bertrand@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Jessica	Beyer	jbeyer@greatermankato.com	Greater Mankato Growth	1961 Premier Dr Ste 100 Mankato, MN 56001	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Ingrid	Bjorklund	ingrid@bjorklundlaw.com	Bjorklund Law, PLLC	855 Village Center Drive #256 North Oaks, MN 55127	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
James	Canaday	james.canaday@ag.state.mn.us	Office of the Attorney General-RUD	Suite 1400 445 Minnesota St. St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-101_21-101 Official Service List
Thomas	Carlson	thomas.carlson@edf-re.com	EDF Renewable Energy	10 2nd St NE Ste. 400 Minneapolis, Minnesota 55413	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
John	Coffman	john@johncoffman.net	AARP	871 Tuxedo Blvd. St. Louis, MO 63119-2044	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-101_21-101 Official Service List
Riley	Conlin	riley.conlin@stoel.com	Stoel Rives LLP	33 S. 6th Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Brooke	Cooper	bcooper@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022191	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
George	Crocker	gwillc@nawo.org	North American Water Office	PO Box 174 Lake Elmo, MN 55042	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
David	Dahlberg	davedahlberg@nweco.com	Northwestern Wisconsin Electric Company	P.O. Box 9 104 South Pine Street Grantsburg, WI 548400009	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Matthew	Deal	matthew.deal@chargepoint.com	ChargePoint, Inc.	254 Hacienda Ave Campbell, CA 95008	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
James	Denniston	james.r.denniston@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, 401-8 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
J.	Drake Hamilton	hamilton@fresh-energy.org	Fresh Energy	408 St Peter St Ste 350 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
John	Farrell	jfarrell@ilsr.org	Institute for Local Self-Reliance	2720 E. 22nd St Institute for Local Self-Reliance Minneapolis, MN 55406	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Mike	Fiterman	mikefiterman@libertydiversified.com	Liberty Diversified International	5600 N Highway 169 Minneapolis, MN 55428-3096	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Edward	Garvey	edward.garvey@AESLconsulting.com	AESL Consulting	32 Lawton St Saint Paul, MN 55102-2617	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Todd J.	Guerrero	todd.guerrero@kutakrock.com	Kutak Rock LLP	Suite 1750 220 South Sixth Street Minneapolis, MN 554021425	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Katherine	Hamilton	katherine@aem-alliance.org	Advanced Energy Management Alliance	1701 Rhode Island Ave, NW Washington, DC 20036	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Kim	Havey	kim.havey@minneapolismn.gov	City of Minneapolis	350 South 5th Street, Suite 315M Minneapolis, MN 55415	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Philip	Hayet	phayet@jkenn.com	J. Kennedy and Associates, Inc.	570 Colonial Park Drive Suite 305 Roswell, GA 30075-3770	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Adam	Heinen	aheinen@dakotaelectric.com	Dakota Electric Association	4300 220th St W Farmington, MN 55024	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Kimberly	Hellwig	kimberly.hellwig@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Annete	Henkel	mui@mutilityinvestors.org	Minnesota Utility Investors	413 Wacouta Street #230 St.Paul, MN 55101	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Michael	Hoppe	lu23@ibew23.org	Local Union 23, I.B.E.W.	445 Etna Street Ste. 61 St. Paul, MN 55106	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Alan	Jenkins	aj@jenkinsatlaw.com	Jenkins at Law	2950 Yellowtail Ave. Marathon, FL 33050	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	150 S. 5th Street Suite 1200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Sarah	Johnson Phillips	sarah.phillips@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
William D	Kenworthy	will@votesolar.org	Vote Solar	332 S Michigan Ave FL 9 Chicago, IL 60604	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Thomas	Koehler	TGK@IBEW160.org	Local Union #160, IBEW	2909 Anthony Ln St Anthony Village, MN 55418-3238	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Frank	Kohlasch	frank.kohlasch@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd N. St. Paul, MN 55155	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Michael	Krikava	mkrikava@taftlaw.com	Taft Stettinius & Hollister LLP	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Carmel	Laney	carmel.laney@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Peder	Larson	plarson@larkinhoffman.com	Larkin Hoffman Daly & Lindgren, Ltd.	8300 Norman Center Drive Suite 1000 Bloomington, MN 55437	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Annie	Levenson Falk	annief@cupminnesota.org	Citizens Utility Board of Minnesota	332 Minnesota Street, Suite W1360 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Kavita	Maini	kmairi@wi.rr.com	KM Energy Consulting, LLC	961 N Lost Woods Rd Oconomowoc, WI 53066	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Emily	Marshall	emarshall@mojlaw.com	Miller O'Brien Jensen, PA	120 S. 6th Street Suite 2400 Minneapolis, Minnesota 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E St. Paul, MN 55106	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Mary	Martinka	mary.a.martinka@xcelenergy.com	Xcel Energy Inc	414 Nicollet Mall 7th Floor Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-101_21-101 Official 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	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Taylor	McNair	taylor@gridlab.org		668 Capp Street San Francisco, CA 94110	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
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	OFF_SL_21-101_21-101 Official Service List
Stacy	Miller	stacy.miller@minneapolismn.gov	City of Minneapolis	350 S. 5th Street Room M 301 Minneapolis, MN 55415	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Gregory C.	Miller	gmiller@dakotaelectric.com	Dakota Electric Association	4300 220th Street West Farmington, MN 55024	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St Duluth, MN 558022093	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP	33 South Sixth St Ste 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official 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	OFF_SL_21-101_21-101 Official Service List
Alan	Muller	alan@greendel.org	Energy & Environmental Consulting	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Kristin	Munsch	kmunsch@citizensutilityboard.org	Citizens Utility Board of Minnesota	309 W. Washington St. Ste. 800 Chicago, IL 60606	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Amanda	Myers	amanda@weavegrid.com	Weave Grid, Inc.	222 7th Street 2nd Floor San Francisco, California 94103	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Carl	Nelson	cnelson@mncee.org	Center for Energy and Environment	212 3rd Ave N Ste 560 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
J	Newberger	jnewberger1@yahoo.com	State Rep	14225 Balsam Blvd Becker, MN 55308	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
David	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	220 South Sixth Street Suite 1300 Minneapolis, Minnesota 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Rolf	Nordstrom	rnordstrom@gpsid.net	Great Plains Institute	2801 21ST AVE S STE 220 Minneapolis, MN 55407-1229	Electronic Service	No	OFF_SL_21-101_21-101 Official 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	OFF_SL_21-101_21-101 Official Service List
Ric	O'Connell	ric@gridlab.org	GridLab	2120 University Ave Berkeley, CA 94704	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Regulatory	OTP	OTPREgulatory@otpc.com	Otter Tail Power Company	PO Box 496 215 S Cascade St Fergus Falls, MN 56538	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Carol A.	Overland	overland@legalelectric.org	Legaletric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Jessica	Palmer Denig	jessica.palmer-Denig@state.mn.us	Office of Administrative Hearings	600 Robert St N PO Box 64620 St. Paul, MN 55164	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Audrey	Partridge	apartridge@mncee.org	Center for Energy and Environment	212 3rd Ave. N. Suite 560 Minneapolis, Minnesota 55401	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
J. Gregory	Porter	greg.porter@nngco.com	Northern Natural Gas Company	1111 South 103rd St Omaha, NE 68124	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Greg	Pruszinske	gpruszinske@ci.becker.mn.us	City of Becker	PO Box 250 12060 Sherburne Ave Becker, MN 55308	Electronic Service	No	OFF_SL_21-101_21-101 Official 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	OFF_SL_21-101_21-101 Official 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	OFF_SL_21-101_21-101 Official Service List
Richard	Savelkoul	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	332 Minnesota Street Ste W2750 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Jacob J.	Schlesinger	jschlesinger@keyesfox.com	Keyes & Fox LLP	1580 Lincoln St Ste 880 Denver, CO 80203	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	Yes	OFF_SL_21-101_21-101 Official Service List
Doug	Scott	dscott@gpisd.net	Great Plains Institute	2801 21st Ave Ste 220 Minneapolis, MN 55407	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Patricia F	Sharkey	psharkey@environmentallawcounsel.com	Midwest Cogeneration Association.	180 N LaSalle St Ste 3700 Chicago, IL 60601	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Joshua	Smith	joshua.smith@sierraclub.org		85 Second St FL 2 San Francisco, California 94105	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Ken	Smith	ken.smith@districtenergy.com	District Energy St. Paul Inc.	76 W Kellogg Blvd St. Paul, MN 55102	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Beth H.	Soholt	bsoholt@windonthewires.org	Wind on the Wires	570 Asbury Street Suite 201 St. Paul, MN 55104	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Anna	Sommer	ASommer@energyfuturesgroup.com	Energy Futures Group	PO Box 692 Canton, NY 13617	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Mark	Spurr	mspur@fvbenergy.com	International District Energy Association	222 South Ninth St., Suite 825 Minneapolis, Minnesota 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Byron E.	Starns	byron.starns@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
James M	Strommen	jstrommen@kennedy-graven.com	Kennedy & Graven, Chartered	150 S 5th St Ste 700 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Eric	Swanson	eswanson@winthrop.com	Winthrop & Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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	OFF_SL_21-101_21-101 Official Service List
Julie	Voeck	julie.voeck@nee.com	NextEra Energy Resources, LLC	700 Universe Blvd Juno Beach, FL 33408	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Samantha	Williams	swilliams@nrdc.org	Natural Resources Defense Council	20 N. Wacker Drive Ste 1600 Chicago, IL 60606	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Laurie	Williams	laurie.williams@sierraclub. org	Sierra Club	Environmental Law Program 1536 Wynkoop St Ste 200 Denver, CO 80202	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Joseph	Windler	jwindler@winthrop.com	Winthrop & Weinstine	225 South Sixth Street, Suite 3500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Jeff	Zethmayr	jzethmayr@citizensutilitybo ard.org	Citizens Utility Board	309 W. Washington, Ste 800 Chicago, IL 60606	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List
Patrick	Zomer	Pat.Zomer@lawmoss.com	Moss & Barnett PA	150 S 5th St #1200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-101_21-101 Official Service List