

E-132/CG-15-255, People's Energy Cooperative  
Item #3  
Chair Heydinger's Proposed Decision Options

4.1. (Replacing Decision Option 4) Resolve the dispute in favor of the Complainant and find that People's has failed to demonstrate that the fee it has imposed meets the criteria of Minn. Stat. § 216B.164, Subd. 8(b), and for qualified facilities (QFs) interconnecting after July 1, 2015, Minn. Stat. 216B.164, Subd. 3(f).

A. Direct People's to cease charging the monthly fees to Mr. Miller and all other QFs and refund all fees collected from Mr. Miller and all other QFs. Require People's to make a compliance filing within 60 days of the Order that includes: a new tariff with the fee removed and verification that refunds have been made, including a list of all QFs who have been charged the fees and the amount of the refund. (Staff rephrasing and enhancement of Department and CEO recommendations)

B. Find that as the prevailing party, Mr. Miller should be awarded any costs, disbursements, and reasonable attorney's fees related to pursuing this dispute. Direct Mr. Miller to make a filing with the Commission within 30 days of an Order detailing any costs for which he seeks reimbursement. (Staff enhancement of CEO recommendation)

New 6.1. Find People's in violation of Minn. Rules, parts 7835.0300 and 7835.0400 for failing to file the proposed fee changes in 2014.

New 11. Direct staff to open a docket and request information from each IOU and from each cooperative to determine whether or not they apply a charge to net metered and other DG customers that is not applied to other customers, and if so, in which docket(s) the charge was approved by the Commission, as well as other related information staff deems appropriate.