

The Commission met on **Thursday, June 8, 2023** with Chair Tuma and Commissioners Schuerger and Sieben present.

The following matters were taken up by the Commission:

E-002/M-20-86

In the Matter of Northern States Power, doing business as Xcel Energy, for Approval of General Time-Of-Use Service Tariff.

Commissioner Schuerger moved that the Commission:

1. Find that Xcel's compliance filing satisfies the requirements of the Commission's February 1, 2023 Order.
2. Approve Xcel's proposal to extend bill protections to public transit charging providers through the duration of the pilot as found in its March 31, 2023 compliance filing.
3. Approve the proposed tariff modifications as found in Xcel's March 31, 2023 compliance filing.

The motion passed 3–0.

P-5024/M-22-116

In the Matter of the Global Tel*Link Revised Tariff No. 2 filing cancels and replaces, in its entirety, the current tariff on file with the Commission, Minnesota Tariff No. 1, issued by Global Tel*Link Corporation d/b/a ViaPath Technologies.

This item was pulled from the agenda.

E-002/M-21-695

In the Matter of Xcel Energy's Tariff Revisions Updating Community Solar Garden Tariff Providing Additional Customer Protections in Subscription Eligibility.

E-002/M-13-867

In the Matter of In the Matter of the Petition of Northern States Power Company, D/B/A Xcel Energy, for Approval of its Proposed Community Solar Garden Program.

Commissioner Sieben moved that the Commission:

1. Approve Xcel Energy's November 11, 2022 compliance filing.
2. Reopen the Commission's June 24, 2022 Order, Order Point 2B.
3. Direct Xcel Energy to work with the Department of Commerce's Energy Development Office on programmatic improvements to their billing system to accomplish the goals of Community Solar Garden legislation passed in the 2023 legislative session, and the goals previously found in Order Point 2B of the Commission's June 24, 2022 Order in Docket No. 21-695. Before implementing changes, Xcel shall report back to the Commission no later than January 15, 2024 on details; including, but not limited to: the necessary changes to their billing system, the incremental costs thereof, an analysis on what data sharing requirements will be necessary, and the estimated number of tenants/households that would benefit.
4. Approve Xcel Energy's proposed modifications to the Standard Contract for Solar*Rewards Community tariff sheet 9-74 as shown in Xcel Energy's November 11, 2022 compliance filing, but with the following additional redlined modifications to the language as reflected in Xcel Energy's January 18, 2023 Reply Comments:

Consistent with this, in the event that any Subscription associated with a specific premise number is not eligible because it violates the provisions on tariff sheet 9-76 (par. 6.D.), 9-66.1 (par. m), or violates any applicable provision of the "Landlord as Subscriber" Addendum (and such Subscription is then an "Ineligible Subscription"), and Bill Credits have been applied to the premises number of the Ineligible Subscription, then for a period beginning on the first date of it being an Ineligible Subscription for the duration of it being an Ineligible Subscription the Company may recoup these funds and obtain payment solely from the Community Solar Garden Operator the difference between the Bill Credits provided to the premises number of the Ineligible Subscription and the Unsubscribed Energy rate. Failure of the Community Solar Garden Operator to make this payment within thirty (30) days of demand shall be considered a breach of this contract.

5. Approve Xcel Energy's proposed modification to the Solar*Rewards Community tariff sheets 9-76 and 9-66.1 with the following modifications as recommended in the Joint Solar Associations' December 21, 2022, comments:

M. The decision whether to become or remain a Community Solar Garden subscriber is left entirely to an individual tenant. This decision shall not be subject to pressure or influence of any kind – direct or indirect – from a landlord or landlord agent. Landlords or agents shall provide only accurate information that is not false, misleading, or deceptive information.

6. Approve the CSG Operators’ modifications to Xcel Energy’s Standard Contract for Solar*Rewards Community tariff sheets 9-99.1 through 99.1-3 (“Landlord as Subscriber Addendum”) as proposed in the CSG Operators’ December 21, 2022, comments.
7. Approve Xcel Energy’s proposal to modify its Low-Income Energy Discount Rider tariff sheet 5-95 to eliminate the average monthly usage threshold for eligible customers.
8. Require Xcel Energy to file updated tariffs reflecting the Commission’s decisions herein within 30 days of the order.

The motion passed 3–0.

Docket No. IP-7109/PPL-23-109

In the Matter of the Application of Magellan Pipeline Company, L.P. for a Route Permit for the Pipestone Reroute Project in Pipestone, County, Minnesota. Docket No. IP-7109/PPL-23-109

Commissioner Tuma moved that the Commission

1. Accept the application as substantially complete.
2. a. Authorize the Department to begin preparation of a comparative environmental analysis for the project and request that EERA staff submit a summary, analysis, and recommendation(s) related to all route alternatives provided during the comment period for the Commission’s review.

b. Approve the Department’s initial proposed budget of \$150,000.

c. Accept for study and consideration the route alternative proposed by the Mille Lacs Band of Ojibwe in their April 26, 2023 comments.
3. Refer the matter to the Office of Administrative Hearings for an Administrative Law Judge for a hearing under Minn. Rules chapter 1405.
4. Delegate administrative authority to the Executive Secretary to issue the Delegation of Authority as reflected in Appendix A of these briefing papers.
5. Delegate administrative authority to the Executive Secretary and include the following additional items in the appropriate orders issued in this matter:

- a. Provide the name, telephone number, and email address of the staff person designated as Public Advisor to facilitate citizen participation in the process.
 - b. Request that EERA continue to study issues and indicate during the hearing process its position on the reasonableness of granting a route permit.
 - c. Require the applicant to facilitate in every reasonable way the continued examination of the issues by EERA and Commission staff.
 - d. Require the applicant to place a copy of the application for review in at least one government center or public library in each county where the proposed project is located.
 - e. Direct Commission and EERA staff to publish the notice of public information meetings and application acceptance.
 - f. Direct Commission staff to work with the Administrative Law Judge and EERA staff in selecting a suitable location for the public hearing on the application.
 - g. Direct the applicant to work with Commission staff to arrange for publication of the notice of hearings in newspapers of general circulation at least ten days prior to the hearing, that such notice be in the form of visible display ads, and that proof of publication is obtained from the newspapers selected.
6. Vary the time period of Minn. Rule, part 7852.1400, subp. 3 and 4 for good cause to extend the 70-day time limit for the Commission determine the route alternatives to be considered.

The motion passed 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: July 19, 2023



Will Seuffert, Executive Secretary