MINNESOTA
PUBLIC UTILITIES COMMISSION

Staff Briefing Papers

Meeting Date	August 19, 2021	Agenda Item *3
Company	All Commission Regulated Natural Gas Utilities	
Docket Nos.	**G-004/M-21-217** In the Matter of Application of Great Plains Natural Gas for Approval of its 2020 Gas Affordability Program Annual Report and Updated GAP Surcharge **G-008/M-21-218** In the Matter of Application of CenterPoint Energy Resources Corp. for Approval of its 2020 Gas Affordability Service Program Annual Report **G-002/M-21-220** In the Matter of Application of Northern States Power Company for Approval of its 2020 Gas Affordability Program Annual Report and Proposed Tariff Modifications **G-022/M-21-221** In the Matter of the Application of Greater Minnesota Gas, Inc. for Approval of its 2020 Gas Affordability Program Annual Report **G-011/M-21-224** In the Matter of the Application of Minnesota Energy Resources Corporation for Approval of its 2020 Gas Affordability Program Annual Report	
Issues	1. Should the Commission accept the Natural Gas Utilities' 2020 Gas Affordability Program (GAP) annual reports? 2. Should the Commission approve CenterPoint Energy's request to increase its surcharge rate to $0.00264 per therm from $0.00236 per therm?	

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

3. Should the Commission authorize CenterPoint Energy to reduce the payment requirement from 6% to 3% of its participating customers' income?

4. Should the Commission allow Xcel Energy to reduce the payment requirement from 4% to 3% of its participating customers' income?

5. Should the Commission allow MERC to temporarily suspend the $750,000 annual spending cap for 2021?

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✓ **Relevant Documents**	**Date**
Great Plains – Annual GAP Compliance Filing (#21-217)	March 31, 2021
CenterPoint Energy – Annual GAP Compliance Filing (#21-218	March 31, 2021
Northern States Power – Annual GAP Compliance Filing (#21-220)	March 31, 2021
Greater Minnesota Gas – Annual GAP Compliance Filing (#21-221)	March 31, 2021
MERC – Annual GAP Compliance Filing (#221-224)	March 31, 2021
Department – Comments	June 4, 2021
Great Plains – Reply Comments	June 14, 2021
CenterPoint Energy – Reply Comments	June 14, 2021
Northern States Power – Reply Comments	July 14, 2021
Energy Cents Coalition – Comments (#21-218, 321-220 and #21-224)	June 14, 2021
PUC – Notice of Supplemental Comments	June 21, 2021
MERC – Reply Comments	June 28, 2021
Department – Supplemental Comments	July 21, 2021
CenterPoint Energy – Response to Supplemental Comments	July 26, 2021

Relevant Documents	Date
Great Plains – Reply Supplemental Comment	August 4, 2021
CenterPoint Energy – Reply Supplemental Comments	August 4, 2021
Northern States Power – Reply Supplemental Comments	August 4, 2021
MERC – Reply Supplemental Comments	August 4, 2021

Table of Contents

I. Statement of the Issues

1. Should the Commission accept the Natural Gas Utilities' 2020 Gas Affordability Program (GAP) annual reports?

2. Should the Commission approve CenterPoint Energy's request to increase its surcharge rate to $0.00264 per therm from $0.00236 per therm?

3. Should the Commission authorize CenterPoint Energy to reduce payment requirement from 6% to 3% of its participating customers' income?

4. Should the Commission allow Xcel Energy to reduce payment requirement from 4% to 3% of its participating customers' income?

5. Should the Commission allow MERC to temporarily suspend the $750,000 annual spending cap for 2021?

II. Introduction

The Gas Affordability Programs (GAP) are designed to lower the percentage of income low-income households devote to paying energy bills, increase customer payments, and reduce the costs associated with collection of outstanding bills. The Programs consist of two components designed to assist low-income households: the affordability component, and the arrearage-forgiveness component.

All Commission regulated Minnesota natural gas utilities' Gas Affordability Programs are reviewed each year through their filing of annual compliance reports (as is the case in the dockets listed above, filed on March 31, 2021) and periodically through evaluation process. Improvements and efficiencies have been incorporated into the design and administration of these programs on an ongoing and as-needed basis. Figure 1 below shows the Utilities' annual Program budget and the highest number of customers enrolled in the Program at some point during the year.

Figure 1: Utilities Annual Budget and Number of Enrolled Customers at Some Point in the Year

	Great Plains	CPE	Xcel	GMG	MERC
Annual Program Budget	$50,000	$5,000,000	$2,500,000	$20,000	$750,000
GAP Participants – Enrolled at some point during the calendar year 2020	224	9,174	7,683	30	1,304

III. Background

By March 28 and April 1, 2019, Minnesota gas utilities filed 2018 Gas Affordability Program Annual Reports. The Department on April 29, 2019, submitted its comments regarding the GAPs and recommended that the Commission accept the annual reports. On August 19, 2019, the utilities GAP reports were approved by the Commission in Docket Nos. G-008/M-19-255, G002/M-19-242, G-011/M-19-241, G-004/M-19-247, G-022/M-19-236.

On March 31, 2020, the gas utilities filed their 2019 Gas Affordability Program Annual Reports.

On April 30, 2020, the Department filed comments regarding the utilities GAP Annual Reports and recommended the Commission accept the utilities' reports, as well as approve CenterPoint Energy and Great Plains requests to adjust their surcharge rates. On November 5, 2020, the utilities GAP reports were approved by the Commission in dockets Nos. G-004/M-20-395, G-008/M-20-399, G-002/M-20-398, G-022/M-20-400, G-011/M-20-397.

On March 31, 2021, Minnesota gas utilities filed their 2020 Gas Affordability Program Annual Reports, in the dockets that are on the Commission Agenda for this meeting.

On June 14, 2021, Energy Cents Coalition filed Comments and recommended the Commission accept the Utilities 2020 GAP reports and with some requirements.

The Department filed Comments June 4, 2021 and Supplemental Comments on July 21, 2021 regarding the utilities GAP Annual Reports and recommended the Commission accept the utilities' reports, as well as approve CenterPoint Energy, Xcel and MERC proposals.

On August 4, 2021, the utilities filed Supplemental Reply Comments, accepting most of the Department and Energy Cent's recommendations.

IV. Relevant Statutes and Commission Orders

A. Low-Income Affordability Program Statue, Minn. Stat. § 216B.16, Subd. 15

This statute states that:

> The Commission must consider the ability to pay as a factor in setting utility rates and may establish affordability programs for low-income residential ratepayers, in order to ensure affordable, reliable, and continuous service to low-income utility customers.

The Commission has required all the investor-owned, rate regulated natural gas utilities to offer an affordability program for income-qualified customers. The programs are available to residential customers within the Company's service area who have been qualified for and received assistance from the Low-Income Home Energy Assistance Program (LIHEAP).

The statute requires that any affordability program the Commission orders a utility to implement must meet five criteria:

- Lower the percentage of income that participating low-income households devote to energy bills;
- increase participating customer payments over time by increasing the frequency of payments;
- decrease or eliminate participating customer arrears;
- lower the utility costs associated with customer account collection activities; and
- coordinate the program with other available low-income bill payment assistance and conservation resources.

It should also be noted that over time the Commission has prescribed its own additional reporting requirements.

B. Commission Orders

1. Program Authorizations

The Commission issued orders authorizing the start of each gas affordability programs. All the Gas Affordability Programs were initially set up as pilot programs that expired on a certain date unless the Commission evaluated and authorized the program to continue. Currently all the utilities listed in the dockets above have become permanent except Greater Minnesota Gas' program that continues to operate under the pilot status.

2. Annual Reviews

The Commission issued orders reviewing the GAP compliance filings for calendar years, as follow:

- 2008 GAP annual reports on July 8 and November 18, 2009.
- 2009 GAP annual reports on September 22, 2010.
- 2010 GAP annual reports on December 29, 2011.
- 2011 GAP annual reports on October 5, 2012.
- 2012 GAP annual reports on September 25, 2013.
- 2013 GAP annual reports on November 26, 2014.
- 2014 GAP annual reports on September 29, 2015.
- 2015 GAP annual reports on June 30, 2016.
- 2016 GAP annual reports on October 12, 2017.
- 2017 GAP annual reports on June 20, 2018.
- 2018 GAP reports on April 29, 2019.
- 2019 GAP reports on November 5, 2020.

3. Program Evaluations and Termination Dates

In addition to annual acceptance of the GAP reports, the programs are evaluated periodically, in depth on a company-by-company basis. The statue states that the Commission may require public utilities to file program evaluations that assess the effect of the affordability program on:

1. The percentage of income that participating households devote to energy bills;
2. Service disconnections; and
3. Frequency of customer payments, utility collection costs, arrearages, and bad debt.

Further, the statute directs the Commission to issue orders necessary to implement, administer, and evaluate affordability programs, and to allow a utility to recover program costs, including administrative costs, on a timely basis. The Commission may not allow a utility to recover administrative costs, excluding start-up costs, more than five percent (5%) of total program costs, or program
evaluation costs more than two percent (2%) of total program costs. The Commission must permit deferred accounting, with carrying costs, for recovery of program costs incurred during the period between general rate cases.

Also, the Commission determines whether modifications should be made to the program and status of the program if it should continue as a pilot or become a permanent program.
Below is a history and overview of the highlights and relevant Commission decisions from the utilities recent program evaluations:

a. Xcel Energy

- Made the GAP a permanent program with no expiration date.
- Evaluated in 2019.
- Approved the increase of the GAP surcharge from $0.00400 to $0.00445 per Dth.
- Required Xcel file its next evaluation report on May 31, 2022

b. Great Plains Natural Gas

- Made the GAP a permanent program with no expiration date.
- Evaluated in 2019.
- Approved the increase of the GAP surcharge from $0.01393 to $0.02295 per Dth.
- Approved GAP budget increase from $50,000 to $70,000 annual funding, effective December 1, 2020.
- Required GPNG to file its next evaluation report on May 31, 2022.

c. CenterPoint Energy

- Made the GAP a permanent program with no expiration date.
- Evaluated in 2019.

- Approved the increase in GAP surcharge from \$0.0000 to \$0.0236 per Dth., beginning October 1, 2020.
- Required CPE to file its next evaluation report on May 31, 2022.

d. Greater Minnesota Gas

- Required GMG to operate its GAP as a pilot program with no expiration date until the Commission determines the program should become permanent.
- GMG agreed to partner with ECC to assist with administration of its GAP.
- Required GMG to file its next evaluation report on May 31, 2022.

e. Minnesota Energy Resources Corporation

- Made the GAP a permanent program with no expiration date.
- Required MERC to file its next evaluation report on May 31, 2022.

V. Parties' Comments and Analysis

Each Minnesota public utility that has a GAP files an annual report that contains required statistics and relevant information about the program's performance over the past calendar year. On March 31, 2021, five Minnesota natural gas utilities filed petitions requesting the Commission accept their 2020 GAP annual reports.

The Department reviews the annual GAP reports to ascertain whether they comply with reporting requirements as outlined in statues or Commission Order. The Department in its June 4, 2021, comments stated that following its review of the GAP reports, it concludes that the utilities provided summary schedule information as required.[1]

1. Should the Commission accept the Natural Gas Utilities' 2020 Gas Affordability Program (GAP) annual reports?

The GAP consists of two components designed to assist low-income households, namely, the affordability component and the arrearage-forgiveness component.

A. Affordability Component

The affordability component is designed to help make the GAP customer's current bill affordable by limiting the amount the customer pays each month for natural gas to a set percentage of the customer's household income, usually four or six percent (4% - 6%). The limit on the percentage of income that participating households devote to energy bills is one of the requirements that a GAP must meet under the statute. The actual percentage amount is set by

[1] The Department's Comments, p. 2.

the Commission for each program, as indicated in figure 2.

The affordability component is a bill credit determined as one-twelfth of the difference between the utility's estimate of the qualified customer's annual natural gas bill and a percentage of the qualified customer's annual household income as provided by the qualified customer to the utility. Once enrolled in the program, any energy assistance monies not applied to past due bills are applied to the customer's current bills in accordance with LIHEAP program guidelines. The remaining balance is applied to future bills. Energy assistance is not considered part of household income in the calculation of the affordability credit.

Figure 2: Comparison of the terms of Affordability Component of the Programs

GAP Affordability Component – Customer Benefit	Great Plains	Center Point	Xcel	MERC	GMG[2]
% of Household Income	4%	4%	4%	6%	4%
2020 Average Benefit	$232[3]	$317	$175[4]	$443[5]	$386[6]
2019 Average Benefit	$216	$383	$155	$422	$340
2018 Average Benefit	$171	$376	$180	$453	$338
2017 Average Benefit	$111	$368	$205	$409	$292
2016 Average Benefit	$99	$291	$208	$432	$250
2015 Average Benefit	$217	$460	$241	$376	$102

The affordability component of the Program was designed to meet the statutory requirement to lower the percentage of income that participating low-income households devote to energy bills. The above figure 2, compares the terms of the affordability component for the different programs. Due to design changes implemented in GMG's program in 2016 this data is more comparable to the data provided by other utilities starting with the 2016 annual report. Figure 2 above shows increase in affordability average benefit in calendar year 2020 over the 2019 period across the board for all the utilities except for CenterPoint Energy that declined by $66 or 17% from 2019 amount.

B. Arrearage Forgiveness Component

The arrearage forgiveness component is a matching credit from the utility that is applied to an income qualified customer's account each month after receipt of the customer's scheduled

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[2] Prior to 2016, the affordability component for GMG's GAP consisted of a waiver of the monthly facility (i.e., customer) charge and is reviewed and administered quarterly.
[3] Great Plain' Petition, p.6.
[4] Xcel Petition, p. 10.
[5] MERC' Petition, pp. 4-5.
[6] Greater Minnesota Gas' Petition, p. 3.

arrears payment. The application of this monthly credit and customer payment retires pre-program arrears over a designated period (a one-to-two-year period). Energy assistance is not considered in the calculation of the forgiveness of pre-program arrears. The intent of the matching provision is to provide an incentive for customers to make regular monthly bill payments for the term of the payment plan while paying down past due gas bills. The arrearage forgiveness component of the Program was designed to meet the statutory requirement to decrease or eliminate participating customer arrears.

The following in figure 3, compares the terms of the arrearage forgiveness component for the different programs. This figure 3, also summarizes GMG's program which was simpler and smaller than the other programs through 2015. Due to design changes implemented in GMG's program in 2016 the data is more comparable to the data provided by other utilities in the 2016 annual report.

Figure 3: Comparison of Arrearage Forgiveness Component by Company

GAP Arrearage Forgiveness	CenterPoint	Xcel	MERC	Great Plains	GMG[7]
Repayment period for arrears	12 mos. - customer contributes no more than 2% of household income to retire pre-program arrears	Up to 24 mos.	Up to 24 mos. (modified in 2012 - up to 24 mos. with arrears, and 12 mos. without arrears)	Up to 24 mos.	Up to 24 mos.
2020 Average	$224	$167	$76	$83	$33
2019 Average	$240	$390	$52	$86	$21
2018 Average	$159	$200	$240	$56	$9
2017 Average	$132	$32	$11	$32	$54
2016 Average	$196	$24	$6.60	$33	$112
2015 Average Benefit	$220	$30	$17	$58	$102

C. Other GAP Reporting Requirements

1. Increase in Customer Payment Frequency

The statute requires a GAP to increase participating customer payments over time by increasing the frequency of payments. The utilities have shown that the GAPs increase customer payment frequency over time. Figure 4 below, shows information on comparison of utilities GAP program customer payment frequency for 2020 program year. The Department notes that

[7] Prior to 2016, the arrearage forgiveness component for GMG's GAP consisted of a one-time bill credit of $102 applied to customer's bill if the customer made 12 consecutive timely payments.

amounts over 100% indicate that energy assistance dollars in addition to customer payments may result in credit balance on a customer's account.[8] The Commission has not required GMG to meet this reporting requirement.

Figure 4: Comparison of utilities 2020 GAP Program Customer Payment Frequency

Customer - Participants	CPE (%)	Xcel (%)	MERC (%)	GNPG (%)	GMG (%)
GAP participants: Amount	33	98	53	59	0
Count	60	75	151	54	0
LIHEAP non-GAP: Amount	36	91	95	21	0
Count	50	73	89	38	0
Non-LIHEAP: Amount	89	97	96	79	0
(Residential Count	91	89	91	82	0

2. Decrease in Collection Costs

GAP reporting guidelines require that the relevant utilities submit information about how the number of payments required of participants under the program have affected the utilities' collection activity. The Department notes that through a review of their collection activity or related data points, CPE, Xcel Energy, GPNG, and MERC all concluded that the increased number of payments received from GAP participants has the corresponding effect of reducing collection activities by these utilities. The Commission has not required Greater Minnesota Gas to meet this reporting requirement.

The Department in its July 21, 2021, supplemental comments states that consistent with its initial comments on June 4, 2021 in this docket, it continues hold that the utilities 2020 GAP Reports comply with applicable reporting requirements. Thus, the Department recommends the Commission accept the utilities 2020 GAP Reports.

D. Program Budgets, Revenues and Costs

The utilities' reported information on annual program budgets, actual program costs, revenues, and GAP tracker balances for program year-end 2020, in figure 5 below. The Department review found the reported information to be correct and properly included in the annual reports.

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[8] The Department's Comments, p. 4.

Figure 5: Annual Program Budget, Program Costs, Revenues and Tracker Balance For 2020 Program Year

	CenterPoint	Xcel	MERC	Great Plains	GMG
Annual Program Budget	$5,000,000	$2,500,000	$750,000[9]	$50,000	$20,000
Actual Program Revenue (2020)	$664,135	$2,760,447	$2,686,903	$38,702	$0
Actual Program Cost (2020)	$3,671,320	$1,932,190	$629,009	$52,945	$20,757
GAP Tracker Balance as of December 31, 2020	($1,897,664	$2,257,914	$2,280,458	($19,246)	$70,334

E. GAP Tracker Balances

Figure 6 presents a comparison of year-end GAP tracker balances for all the utilities as of December 31, 2015 through 2020. Note that the Commission tracks the balances in the GAP tracker accounts to see how much money has been collected for these programs and how much is being used.

Figure 6: Comparison of Year End Tracker Balance – December 31, 2015 – December 31, 2020

GAP Tracker Balance (as of)	CenterPoint	Xcel	MERC	Great Plains	GMG
December 31, 2020	($1,897,654)	$2,257,914	$2,280,458	($19,249)	$70,334
December 31, 2019	$4,688,151	$1,429,657	$110,651	($5007	$49,577
December 31, 2018	$4,779,126	$1,334,120	($597,750)	$27,374	$35,290
December 31, 2017	$2,956,406	$658,482	($38,976)	$16,904	$28,708
December 31, 2016	$1,767,477	$64,710	$569,249	$14,578	$25,406
December 31, 2015	$525,858	$499,977	$1,258,501	$21,876	($7,189)

F. Annual Cost of GAP per Non-Participating Customer

Although the budgets for the Utilities GAP are roughly proportional to the size of each utility, as can be seen in figure 7 below, the impact on a residential customer that uses 900 therms of gas each year, varies from one company to another. At the current affordability surcharge rates,

[9] In 2015, the Commission approved MERC's request to reduce its annual GAP budget from $1 million to $750,000.

the cost per year for an average residential customer varies from $0.55 to $8.15 per year per residential customer.

Figure 7: Comparison of Programs for Each Customer Use of 900 Therms of Gas per Year

Calendar-year 2019	GAP rate - affordability surcharge ($/therm)	Annual cost for average residential customer who uses 900 therms of gas	Number of GAP Participants at some point during the year	Customer classes assessed the GAP surcharge
CenterPoint*	$0.0000	$0.55	9,179	All firm residential, commercial and industrial sales and transportation customers (except market-rate firm)
Xcel	$0.00445	$4.01	7,683	All firm sales customers
MERC	$0.00905	$8.15	1,304	Collection of surcharges will be reinstated April 1, 2019. Commission approved $0.00905 per therm in MERC's Rate Case. G-011/GR-17-563.
Great Plains	$0.01393	$1.32	224	GAP costs are recovered through a separate Delivery Charge applicable to all customers receiving firm service under the Residential Gas Service and Firm General Service Rate Schedules.
GMG[10]	$0.00000	$0.00	30	No customers are currently assessed the surcharge.

*Jan-Sept at $0.0000/therm and Oct-December at $0.00236/therm

Staff equally reviewed the utilities' summary information on applicable reporting requirements as depicted in the figures above and agrees with Department's recommendation that the Commission accept the utilities' 2020 GAP Reports

Below is a discussion of changes requested based on issues identified in the utilities 2020 GAP Reports:

1. **CenterPoint Energy**

Should the Commission approve CenterPoint Energy's request to increase its surcharge rate to $0.00264 per therm from $0.00236 per therm?

[10] GMG was authorized to establish a deferred account for all Program costs for review and recovery in GMG's next general rate case.

CenterPoint reported a tracker balance of ($1,897,654) as of December 31, 2020.
On August 19, 2019, the Commission in its Order in Docket No. G008/M-19-255 directed CPE evaluate annually its GAP surcharge rate based on forecasted GAP expenditures and rate-case approved sales.[11] Thus, in this case CPE proposes to increase its GAP surcharge rate from $0.00236 per Dth to $0.00264 per Dth, effective October 1, 2021.

According to CPE the purpose of the proposed change in GAP surcharge rate is to bring the GAP tracker balance as near to zero as possible over the forecasted time-period, which is September 2021 to December 2022. Schedules E and F attached to CenterPoint's filing show that, when using applicable forecasted sales and proposed GAP surcharge rate, the ending balance of the tracker account in December 2022 is forecasted to be an approximate under-recovered amount of $8396. Without the proposed change in the surcharge rate, the forecasted ending tracker balance would be an approximate over-recovered amount of $421,597 by December 2022.[12]
Upon review of information provided by CPE, the Department in its June 14, 2021 comments and July 21 Supplemental comments concurs with CenterPoint's assessment of its GAP surcharge rate and the need to adjust it so as to more closely reach a balance of zero by December 2022.[13] Accordingly, the Department recommends that the Commission approve CenterPoint's request to adjust its GAP tracker surcharge rate.

Energy Cents Coalition (ECC) in its June 14, 2021 comments also recommends the Commission approve CPE's request to increase the GAP surcharge.

Staff believes that the annual review of the GAP surcharge as proposed by CPE, with the aim to better align costs with recoveries, and thereby preventing GAP costs over-or under-charge to customers, is reasonable.

Should the Commission authorize CenterPoint Energy to reduce payment requirement from 6% to 3% of its participating customers' income?

CenterPoint Energy proposed to reduce GAP participant payment requirement from 6% to 3% of the GAP participant's income. This proposal would increase the affordability and arrearage forgiveness benefit under the program.
CPE indicates that it would calculate the affordability credit as one-twelfth of the difference between CenterPoint's estimate of the customer's annual gas bill and 2% of the customer's household income, as compared to the current comparison to 4% of the customer's household income and calculating the credit to retire participant arrears over 12 months with a customer contributing no more than 1% of their household income, as compared to the current 2% of the customer's income. Further, CPE requested permission to remove the overall program spending cap due to uncertainty as to the number of customers that may seek to participate in the GAP following the resumption of disconnection activity.

[11] CenterPoint's Petition, p. 22.
[12] CenterPoint's Petition, Schedule F, p. 2 of 2.
[13] The Department's Supplemental Comments, p.2.

The Department in its June 4, 2021 comments noted that it reviewed the proposal and concludes that it would inure increased benefits to customers, and this may make removing or raising the program spending cap necessary. In this vein, the Department asked CPE to provide in reply comments data projecting what the overall change in the cost of the GAP program would be on the current report, if the changes were made last year. Also, the Department noted that CPE has generally had high administrative costs for its GAP program, 10.9% of total program costs, well above the 5% recovery cap, and removal of the cap and increases in spending could allow CPE to recover more of its costs.

ECC filed comments on June 14, 2021, recommending the Commission approve CPE's proposal to reduce the payment requirements but does not support the removing CPE's spending cap. ECC concurs with the Department's concerns that removing spending cap could allow CenterPoint to recover additional administrative costs.[14] Further, ECC states that it appreciates CPE's outreach efforts, but still concerned that those efforts are not reaching larger number of customers. ECC notes that CPE reported that they mailed information or placed calls to 42,038 customers in 2020, which according to ECC may be overstated since the Company reported that 3,010 calls were made from July 2020 through September 14, 2020 and 10,422 were made from July through December 14, 2020.[15]

Thus, ECC opines that the way to increase GAP participation is to first encourage and focus more effort on increasing LIHEAP participation. Thus, ECC recommends the Commission require CPE to focus more efforts on increasing the number of LIHEAP customers.

On June 14, 2021 CenterPoint filed reply comments about what the effect of its proposed changes would have been in 2020 had they be been put in place at that time. In figure 8 below, CPE provides estimate of the requested information:

Figure 8: Estimated 2020 Spending with Increased Arrearage and Forgiveness Benefits[16]

Actual 2020 GAP Spending	Estimated 2020 GAP Spending with Increased Benefits	Increase
$3,671,320	$4,370,138	$698,818

Further, the CPE states:

> CenterPoint notes that 2020 was an unusual year as it was not disconnecting customers for the majority of the year, and fewer customers may have enrolled in GAP because of this, while other customers may not have been removed from the GAP for failing to meet the spending requirements as in previous years. CenterPoint projects that 2021 and 2022 will be similarly unusual years due to

[14] Energy Cent's Comments, p. 1.
[15] Id., at p. 2.
[16] CenterPoint's Reply Comments, p. 2.

> the continued freeze of disconnections, followed by the resumption of disconnection activities. CenterPoint additionally notes that it regularly spends above its administrative cost cap, writing off the costs above the cap, and likely will increase its administrative spending in 2021 and 2022 to increase outreach as it transitions back to normal disconnection practices.

On July 21, 2021, the Department filed its Supplementary Comments and agrees with CPE that increasing benefits to customers would assist their recovery efforts from the economic difficulties caused by the COVID-19 health pandemic, and recommends the Commission approve CPE request to reduce payment requirement from 6% to 3% of GAP participants' income. Also, the Department recommends the Commission require CPE in its next GAP filing provide a discussion of whether the payment requirement should revert back to 6% level or remain at 3%.[17]

Additionally, the Department concurs with CPE that when disconnections pause ends, the number of people applying for GAP would increase thereby further increasing CPE's already high administrative costs. Thus, with the increase in benefits and attendant additional applications for GAP likely would push the program to exceed its spending cap. In view of this, the Department states that it is agreeable to a temporary removal of the spending cap.

The Department also recommends the Commission require CPE to discuss whether or not to reimplement the spending cap in future GAP filings, until such time as the spending cap is put back into place.

CenterPoint Energy filed Supplemental Comments on July 26, 2021, addressing ECC recommendation that the Commission deny CPE's request to increase annual program spending cap and, also be required to promote LIHEAP to more past due customers and report on its outreach activities to expand LIHEAP.

CPE notes that it is cognizant of the need to make customers aware of other bill payment assistance options and agrees to continue to promote LIHEAP to customers in arrears.

CPE also notes that though it is not proposing any changes to administrative fees currently but wishes to clarify how the administrative cost cap works**,** as thus:

> The Company is limited to recovering no more than 5% of total GAP costs for administrative costs such as time processing GAP applications and marketing efforts. Spending on administrative functions above the cap is not passed onto ratepayers but is instead borne by shareholders. The cap is set as a percentage of actual spending on the GAP program, not as a percentage of the approved budget. Accordingly, changing the program budget has no direct effect on the amount of administrative costs the Company recovers.

[17] The Department's Supplemental Comments, p. 4.

CPE reiterates that the reason its initial request for the suspension of overall program budget emanates from the uncertainty of the number of customers that would want to participate in GAP as normal disconnection practices resum~~e~~

On August 4, 2021, CPE accepts most of the Department's recommendations and states thus:

> With respect to Department recommendation 5, in our Supplemental Comments filed on July 26, 2021, in this Docket, the Company withdrew its request to eliminate the GAP spending cap and instead proposed to increase it from $5 million to $7 million dollars, with the understanding that an increase rather than an elimination of the cap is more agreeable to Energy Cents Coalition. With respect to Department recommendation 6, if the Commission approves an increase in the cap to $7 million, the Company has no concerns with discussing whether the cap should revert to $5 million in future annual GAP filings.

Infact, CPE states that it does not see any need for the Department's recommendation that the Commission require CPE to discuss whether or not to reimplement the spending cap in future GAP filings, until such time as the spending cap is put back into place, if the Commission approves an increase in the cap to $7 million.[18]

Staff notes that CPE's new proposal to raise its budget from $5 million to $7 million has not been discussed by the Department, since it was made after the Department filed its Supplemental Comments with its final recommendations in this docket. ECC also has not filed any supplemental comment that would have allowed for staff to glean its full discussion with CPE on this matter. The Commission may want to ask the Department and ECC to address this issue at the agenda meeting.   Also, the Commission could instead direct CPE to include the new proposal in its next or future annual GAP filing.

2. **Xcel Energy**

Should the Commission allow Xcel Energy to reduce payment requirement from 4% to 3% of its participating customers' income?

Xcel filed its 2020 annual GAP Report on March 31, 2021 and proposed to modify the affordability credit to reduce GAP participants' bills from the current 4% of household income, to a 3% level. Xcel states the lowering the payment requirement would increase the amount that can be credited to a participating customer and thus leads to more participants in the GAP. Further, Xcel believes that reducing income percentage participants are required to pay would increase amount of GAP credits issued and invariably draw down the tracker balance.

Xcel also states that if the request is approved that it will monitor its impact to determine whether the change in payment requirement is sustainable.[19] Additionally, if the change causes the tracker balance to become too low in the future, then Xcel would consider whether to raise

[18] CenterPoint's Reply Comments, p. 2.
[19] Xcel Energy's Petition, p. 15.

the income threshold back to its previous level of 4% or adjust surcharge rate so as to be able to continue to offer the increased credit amount to GAP participants.[20]
On June 4, 2021, the Department filed Comments and did not oppose Xcel's proposal, however, it requested Xcel in its Reply Comments:

a) Provide data projecting what the overall change in the cost of the GAP would be if these changes were made—specifically, if these changes were made in the previous year, what would the impact on overall spending have been on the current report; and
b) Describe any long-term changes to Xcel's $2.5 million spending cap that would be needed if Xcel's proposal is approved.

Xcel in its June 14, 2021 Reply Comments states that the estimate under the 3% GAP payment requirement, the average annual benefit would have increased by $130 per participant, thus a with 5022 household at the 2020 participant level under the 4% threshold would have resulted in increase in spending/benefit of $652,860. Also, if the threshold was 3%, this would result in additional 800 qualified households for the program with estimated $100 in benefits for additional spending/benefit of $732,860.

Xcel also states that the change is temporary and would not require change in Xcel's annual spending cap of $2,500,000, since Xcel's GAP tariff permits spending to exceed GAP with tracker balance funds. Infact, Xcel notes that it has historically spent less than the $2,500,000 per year, which may be one reason for the positive tracker balance.

ECC in its June 14, 2021 Comments recommends the Commission approve Xcel's proposal.

The Department in its Supplemental Comments recommends that the Commission approve Xcel's proposed tariff modification, as clarified in Xcel's Reply Comments, until the tracker balance goes below $50,000. At that time, Xcel would then need to file a proposal in its next scheduled GAP filing on whether to revert the threshold to 4%, maintain the threshold at 3%, or move the threshold to a different level.[21]

On August 4, 2021, Xcel submits Supplementary Comments accepting the Department's recommendations.

3. MERC

Should the Commission allow MERC to temporarily suspend the $750,000 annual spending cap for 2021?

MERC's GAP budget cap is set at $750,000, but its tracker balance has grown to $2,280,485 at the end of 2020. In the current filing MERC indicates that it would address the positive balance and the possible need to adjust the surcharge rate in its next GAP Evaluation Report due May

[20] Id.
[21] The Department's Supplemental Comments, p. 5.

31, 2022. Also, in its March 31, 2021, GAP filing MERC requested the Commission approve temporary suspension of the $750,000 annual spending cap for 2021.

The Department in filed Comments on June 4, 2021 requesting MERC provide in Reply Comments:

a) Initial thoughts on how to address the tracker balance—for example, MERC could reduce the surcharge, increase program benefits, or both; and
b) Further explanation of the high negative arrearage balance per participant and how the negative balance is consistent with the arrearage forgiveness terms in MERC's GAP tariff, which the Department understands require that arrearage forgiveness payments end once a customer is no longer in arrears.

Included in the June 14, 2021 Reply Comments MERC stated that it was open to modifying the program affordability credit from 6% to 3%. However, to implement this change, MERC would require assistance from external sources to obtain current income information for approximately 1,100 GAP participants, which if obtained would take about 6-9 months to process the information for all GAP participants. MERC also, proposed using approximately half of the tracker balance to, at the end of March 2022, to do a one-time full elimination of arrearage balances for customers who have qualified for LIHEAP in 2019 and 2020 or have currently been approved for LIHEAP and have arrearage balances greater than $100.

Further, MERC stated that the negative $1,050 per participant arrearage balance was due to the application of affordability credits and energy assistance payments. Thus, MERC would like to implement a one-time reallocation of the negative arrearage balances (credits) of GAP participants to pay down non-GAP, LIHEAP customers' arrearage balances, for which there are currently 475 GAP accounts with credit balances over $500, totaling about $1.2M.

The Department in its Reply Supplementary Comments, opines:

> Whatever the exact billing details, it appears that MERC is using the affordability credits and energy assistance payments to build up large credits (negative arrearage balances) for customers without arrears. The Department recommends that the Commission require MERC to ensure that its affordability credits and energy assistance payments are only applied as a reduction to customer's bills and/or positive arrearage balances. Therefore, if a customer has $0 bill after a portion of the affordability credit and energy assistance is used up, any remaining energy assistance or affordability credits would only be applied to any past-due balance. If the customer has no past-due balance, the remaining amounts would be not be applied for the month.[22]

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[22] 2 MERC states that in some cases customers are receiving an affordability credit that exceeds their monthly bill due to a billing issue with MERC's forecast of the cost of gas. MERC's GAP tariff states that the affordability component "consists of a bill credit determined as one-twelfth of the difference between MERC's estimate of the Qualified Customer's annual gas bill and 6% of the Qualified Customer's household income as provided by the Qualified Customer to MERC." In the 2020 program

The Department reviewed MERC's 2020 GAP Report, Reply Comments and Supplemental Comments and recommends:

- Approve MERC's proposal to temporarily suspend the $750,000 annual spending cap until a permanent modification to its 3% threshold is approved.

- Require MERC to ensure that its affordability credits and energy assistance payments are only applied as a reduction to customer's bills and/or positive arrearage balances.

- If applicable, require MERC to apply any existing negative arrearage balance as an immediate credit to the applicable customers' bills until the credit is used up. If MERC cannot fully apply the negative arrearage balance over a 12-month period, for issues such as a customer leaving MERC's service territory, MERC should add the credit to the tracker balance, where the funds can be applied to other customers.

- Reject MERC's proposal to take certain customer credits and directly reallocate them to other customers.
- Reject MERC's alternative proposal to use about $1.1 million of the tracker balance as a one-time credit to eliminate existing customer arrears.

- Require MERC to, as soon as possible, reduce the affordability threshold to 3% until the tracker balance is under $50,000, at which point MERC would then be required to submit, in its next scheduled GAP filing, a proposal regarding whether to revert, maintain, or otherwise modify the affordability threshold; whether to reduce the surcharge; as well as, what to do regarding the spending cap.

ECC filed Comments noting that the number of MERC' GAP customers over the years declined from 1546 in 2015 to 1304 in 2020, and there was an 11% disconnection rate of MERC's LIHEAP customers in 2019. Thus, ECC recommends the Commission should "immediately" require MERC to lower its affordability credit from 6% to 3%,[23] in order to increase number GAP qualified customers, instead of waiting till May 31, 2022 for MERC to act.
Further ECC opines

> ECC does not understand why MERC requests suspending the annual program spending cap when the tracker balance is significant and before the affordability

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year, MERC's average annual bill per participant was $655 and average annual affordability benefit per participant was $443. If one assumes MERC's estimated average annual bill per participant was $700, then the $443 annual credit would be designed to limit the payment after affordability credit to $257. At the 6% threshold, this would imply an annual average participant household income of $4,300 ($257 divided by 6%)., see also the Department's Supplemental Comment, pp. 7-8.

[23] Energy Cent's Comments, p. 4.

> credit percentage is lowered. If the Commission requires MERC to lower the credit percentage, then ECC does not oppose suspending the current program budget. To do so, however, without increasing credits and expanding participation, is not reasonable.

ECC supports the Department's recommendations and recommends also that the Commission require MERC explain why the average arrearage balance for GAP customers is negative $1,050.

MERC in Reply Comments filed on June 28, 2021, MERC clarifies that the reported negative $1,050 reflects the average arrearage (account balance) across all of MERC's current GAP enrollees, not only those enrollees with arrears. Looking only at newly enrolled 2020 GAP participants with arrears who qualified for and participated in the arrearage forgiveness component of MERC's GAP, the average arrears per customer in 2020 was $213.86. In 2020, MERC had 16 customers enroll in GAP with arrears, with a total arrears balance of $3,421.

On August 3, 2021 MERC filed response to Reply Supplemental Comments and accepts the recommendations made by the Department and ECC.

VI. Program Information for Great Plains and Greater Minnesota Gas

1. Great Plains

The Commission approved GAP for Great Plains in Docket No. G004/M-07-1235 by Order issued on May 12, 2008 and requiring Great Plains in its annual GAP compliance filing to provide certain information, such as, Participation Rate Evaluation, Cost Evaluation and Overall Evaluation of these factors. In the current report Great Plains did not propose any changes to its GAP.

Great Plains in its 2020 GAP annual report provides the percentage of LIHEAP customers that participate in GAP as 19%, compared to Point 2 of the Commission's May 12, 2008 Order in Docket No. G004/M-07-1235 which requires that Great Plains provide in its annual GAP reports "…an evaluation of the assumed GAP participation rate of five percent in light of actual participation in the Program."

The Department in its June 4, 2021 Comments, holds that Great Plains reports its actual GAP participation rate as a part of the reporting requirements applicable to all gas utilities with a GAP and that comparing the actual GAP participation rate to the five percent participation rate estimated in 2008, prior to the approval of Great Plains' GAP, no longer provides useful insights. Thus, the Department request the Commission discontinue the evaluation requirement for Great Plains.[24]

Great Plains provides in its annual GAP report the actual GAP costs and number of GAP participants for each program year. In 2020, the Company reported actual GAP costs of $52,945

[24] The Department's Comments, p. 19.

and a total of 224 participants that received GAP benefits at some point during the year, which translates to $236 per participant GAP cost program year 2020.
The Department reviewed Great Plains' cost evaluation information in relation to Point 3 of the Commission's May 12, 2008 Order in Docket No. G004/M-07-1235 which requires that Great Plains provide in its annual GAP reports "…the actual annual average cost per participant for the Program, and…a discussion concerning any deviation of the actual annual average cost per participant compared to the assumed average annual cost per participant of $555."

In the Department's view the idea of comparing the actual average annual GAP cost per participant to the $555 assumption estimated in 2008, prior to the approval of Great Plains' GAP, no longer provides useful insights. Therefore, it recommends the Commission discontinue the requirement that Great Plains provide an evaluation comparing the actual average annual GAP cost per participant to the assumed $555.

Further, on overall evaluation, Order Point 4 of the Commission's May 12, 2008 Order in Docket No. G004/M-07-1235 requires that Great Plains provide in its annual GAP reports "…the Company's conclusion regarding the reported evaluation data, together with the Company proposal concerning the GAP on a going forward basis."

The Department in its Comments states that consistent with its conclusions above on the relevance of Great Plains providing comparisons between the actual and previously estimated GAP participation rates and costs, it concludes that Point Order No. 4 no longer provides useful insights for Great Plains to report its conclusions on these comparisons.

On August 4, 2021, Great Plains filed Reply Supplemental Comments accepting the Department's recommendations to the Commission.

2. Greater Minnesota Gas

GMG has stated that it would not propose collection of a surcharge until after completion of the 2017 program year,[25] however in 2020 the company made no determination to collect surcharge. GMG in its 2020 GAP report disclosed that 117 customers received LIHEAP during the 2020 calendar year, of which 30 participated in GAP at some point throughout the year and also approximately 26% of GMG's customers that received LIHEAP funds participated in GAP as of December 2020.
Further, the Company has been tracking its GAP regulatory costs in an unofficial tracker and with tracker balance of $70,334 as of December 31, 2020. GMG anticipates that a formal mechanism to track its GAP regulatory costs will be instituted when regulatory approval is requested and received for the addition of a rate-affordability surcharge and that the tracker components will be identified and approved at the same time.

[25] Greater Minnesota Gas's Comments, p. 4.

VII. Program Administration, Effectiveness and Periodic Assessment of Third-Party Program Administrators

In its December 29, 2011 Order Accepting Gas Affordability Program Reports And Requiring Further Action, the Commission directed the utilities to periodically assess:

- whether their programs could be more effective and efficient by the use of a third-party administrator, and
- if they already use a third-party to administer, whether this is the most effective and efficient arrangement, including a review of alternatives.

However, there is a statutory requirement a statutory requirement for the utilities to coordinate the program with other available low-income payment assistance and conservation resources. In figure 9 below is depicted the utilities and their third-party administrators.

Figure 9: The Utilities and Their-Third Party Administrators

	Great Plains	Xcel	CPE	MERC	Greater Minnesota Gas
Third-party program administrator	Salvation Army	ECC	ECC	Salvation Army	ECC

Some of the promotional efforts employed by the Companies, internally or in conjunction with their third-party administrator include:

- Direct mail and e-mails sent to LIHEAP recipients encouraging them to enroll in GAP.
- Making the application electronically available.
- Partnering with outside low-income agencies (e.g., LIHEAP vendors) to promote the GAP).
- Attending community outreach events.
- Call center referrals to customer's who may be eligible for GAP.

CPE in its GAP report disclosed that it would not renew ECC for the administration of its GAP and would rather administer the program in-house instead.[26]

VIII. Conclusion

Staff in review of the GAP reports observed that the COVID -19 health pandemic and its resultant adverse impacts on the economy affected the 2020 GAP participation rate. It appeared that with the difficult economic state of the nation, the Governor's peace-time emergency declaration, and pause in utilities disconnections and collection activities due to the pandemic, customers who were accumulating arrearages may not have entered into payment

[26] CenterPoint's Petition, p. 1.

arrangements or enroll in energy assistance programs such as GAP, at the same rate as may have occurred absent these factors. However, all the utilities believe participation rates would go up for 2021 GAP calendar year as the country and the economy begin to emerge from the pandemic.

IX. Decision Alternatives

Should the Commission accept the Natural Gas Utilities' 2020 Gas Affordability Program (GAP) annual reports?

1. Accept the Natural Gas Utilities' 2020 Gas Affordability Program annual reports. (All the Natural Gas Utilities, DOC, ECC)

2. Require each of the Natural Gas Utilities in the annual GAP reports to be filed in March of 2022 to report on their observations of any unusual GAP enrollment trends that could be caused by pandemic-related factors. (DOC, All Utilities**)**

CenterPoint Energy

Should the Commission approve CenterPoint Energy's request to increase its surcharge rate to $0.00264 per therm from $0.00236 per therm?

3. Approve CenterPoint's request to increase its surcharge rate to $0.00264 per therm from $0.00236 per therm. (CenterPoint, DOC, ECC)

4. Do not approve

Should the Commission authorize CenterPoint Energy to reduce payment requirement from 6% to 3% of its participating customers' income?

5. Authorize CenterPoint to reduce the payment requirement from 6% to 3% of its participating customers' income. (CenterPoint, DOC)

6. Approve CPE's proposed adjustment to the GAP affordability and arrearage forgiveness levels from 4% to 2% and from 2% to 1%, respectively. (Energy Cents, CPE)

7. Do not authorize options 5 or 6.

8. Require CenterPoint to include a discussion in its next GAP filing on whether the payment requirement should return to the 6% level or remain at 3%. (DOC, Energy Cents)

Should the Commission approve CenterPoint Energy' Proposal to remove or suspend spending cap for its GAP?

9. Approve CenterPoint's proposal to remove the spending cap for its GAP. (CenterPoint, DOC) or

10. Deny CenterPoint's proposal to suspend the annual spending cap for its GAP (Energy Cents)

11. Require CenterPoint to discuss whether or not to reimplement the spending cap in future GAP filings, until such time as the spending cap is put back in place. (DOC, CenterPoint)

CPE in its Supplemental Comments filed on July 26, 2021, in this Docket, withdrew its request to eliminate the GAP spending cap and instead proposed to increase it from $5 million to $7 million dollars, with the understanding that an increase rather than an elimination of the cap is more agreeable to Energy Cents Coalition. CPE's proposal was made after the Department and Energy Cents had filed their final recommendations in the instant case.

12. Request the Department, Energy Cents and CPE discuss the new Proposal at this Agenda Meeting (Staff)

13. Direct CPE to include the proposal in its next or future GAP annual filing (Staff)

14. Allow CPE to increase its spending cap for its GAP to $7million from $5 million. (CenterPoint)

15. Deny increase in spending cap to $7 million. (Staff alternative)

Additional Suggested Decision Alternatives by ECC on CPE' 202O GAP

16. Require the Company to promote LIHEAP to more past-due customers. (Energy Cents, CenterPoint)

17. Continue to require CPE to report on outreach activities to expand LIHEAP. (Energy Cents, CenterPoint)

Xcel Energy

Should the Commission allow Xcel Energy to reduce payment requirement from 4% to 3% of its participating customers' income?

18. Allow Xcel Energy to reduce payment requirement from 4% to 3% of its participating customers' income. (Xcel, DOC, Energy Cents)

19. Require Xcel to change its GAP affordability credit threshold from 4% to 3% of participating customer income, until the tracker balance goes below $50,000; and then require Xcel to file, after the $50,000 threshold is reached, a proposal in its next scheduled GAP filing on whether to revert the threshold to 4%, maintain the threshold at 3%, or move the threshold to a different level. (Xcel, DOC)

20. Require the Company to maintain the current program surcharge. (Energy Cents)

MERC

Should the Commission allow MERC to temporarily suspend the $750,000 annual spending cap for 2021?

21. Approve MERC's proposal to temporarily suspend the $750,000 annual spending cap until a permanent modification to its 3% threshold is approved. (MERC, DOC, Energy Cents)

22. Require MERC to ensure that its affordability credits and energy assistance payments are only applied as a reduction to customers' bills and/or positive arrearage balances. (DOC, MERC)

23. If applicable, require MERC to apply any existing negative arrearage balance as an immediate credit to the applicable customers' bills until the credit is used up. If MERC cannot fully apply the negative arrearage balance over a 12-month period, for issues such as a customer leaving MERC's service territory, MERC should add the credit to the tracker balance, where the funds can be applied to other customers. (DOC)

24. Reject MERC's alternative proposal to use about $1.1 million of the tracker balance as a one-time credit to eliminate existing customer arrears. (DOC, MERC, Energy Cents)

25. Require MERC to, as soon as possible, reduce the affordability threshold to 3% until the tracker balance is under $50,000, at which point MERC would then be required to submit, in its next scheduled GAP filing, a proposal on whether to revert, maintain, or otherwise modify the affordability threshold; whether to reduce the surcharge; as well as what to do regarding the spending cap.
    (DOC, MERC)

26. Require the Company to explain why the average arrearage balance for GAP customers is negative $1,050. (Energy Cents)

27. Require the Company to provide the current total number of GAP customers and the current number of GAP customers with credit balances. (Energy Cents)

28. Require the Company to explain if a LIHEAP grant is fully applied (one-time) to a GAP customer's past-due balance. If this is not the Company's practice, ECC recommends the Commission require the Company to apply the total GAP customer LIHEAP grant to any past-due balance and to calculate the level of arrearage co-payment and matching Company payment on any remaining past-due balance. (Energy Cents)

29. Require the Company to explain how, if GAP payments are set at 6% of household income, GAP benefits cover 68% of an average annual gas bill. (Energy Cents)

    a) Require the Company to provide the average annual income for GAP customers.
    b) Require the Company to explain if, and how, the current average affordability credit contributes to the average negative GAP customer credit balance

Great Plains

30. Discontinue the reporting requirement in Point 2 of the Commission's May 12, 2008 Order in Docket No. G004/M-07-1235, which stipulates that Great Plains provide in its annual GAP reports "…an evaluation of the assumed GAP participation rate of five percent in light of actual participation in the Program." Note that, per the annual reporting requirements applicable to all utilities with a GAP, Great Plains would continue to report, as it has in prior years, the percentage of LIHEAP customers that participate in GAP. (DOC, Great Plains)

31. Discontinue the reporting requirement in Point 3 of the Commission's May 12, 2008 Order in Docket No. G004/M-07-1235, which stipulates that Great Plains provide in its annual GAP reports "…the actual annual average cost per participant for the

Program, and…a discussion concerning any deviation of the actual annual average cost per participant compared to the assumed average annual cost per participant of $555.” Note that, per the annual reporting requirements applicable to all utilities with a GAP, Great Plains would continue to report, as it has in prior years, the actual annual GAP costs, and number of GAP participants. (DOC, Great Plains)

Discontinue the reporting requirement in Point 4 of the Commission’s May 12, 2008 Order in Docket No. G004/M-07-1235, which stipulates that requires that Great Plains provide in its annual GAP reports “…the Company's conclusion regarding the reported evaluation data, together with the Company proposal concerning the GAP on a going forward basis.” The “evaluation data” cited in the preceding quote refers to the reporting requirements per Points 2 and 3 of the Commission’s May 12, 2008 Order in Docket No. G004/M-07-1235. (DOC, Great Plains)