

November 8, 2013

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

**RE: Comments on Xcel's Request for Modification of Prior Order Provision for 2012-2014
Triennial Nuclear Plant Decommissioning Accrual
Docket No. E002/M-11-939; and,
Credit Mechanism for a Department of Energy Settlement Payment with Deferred
Accounting
Docket No. E002/M-11-807**

Dear Dr. Haar:

On October 22, 2013, Northern States Power Company d/b/a Xcel Energy (Xcel or the Company) filed with the Minnesota Public Utilities Commission (Commission) a petition requesting a modification of Order Point 2 of the Commission's December 4, 2012 *Order Approving Nuclear Decommissioning Plan and Modifying Refund Plan* in the above-referenced dockets (Commission's December 4, 2010 Order).

The Commission's December 4, 2012 Order approved an annual nuclear decommissioning accrual of approximately \$14.2 million, and approved the Company's proposal to fund the accrual using the United States Department of Energy (DOE) settlement payments. Specifically Order Point 2 states:

The refund requirement set in the December 16, 2011 Order in Docket E-002/M-11-807 shall be modified to require Xcel to place the Department of Energy settlement payments for year-end 2012 and 2013 immediately into the decommissioning fund when received.

The Company included on pages 3 and 4 of its petition a table which shows the DOE Payment on total company basis, the DOE payment on a Minnesota jurisdictional basis, the approved annual decommissioning accrual, and the excess DOE payment above the approved annual decommissioning accrual on a Minnesota jurisdictional basis. This table indicates that the Company expects to receive \$31.8 million from DOE at the end of 2013 on a Minnesota jurisdictional basis, after subtracting the \$14.2 million decommissioning accrual for 2014, results in \$17.6 million in excess funds. Similarly, the table indicates that Xcel expects to receive a \$32.4 million payment from DOE in 2014¹ on a Minnesota jurisdictional basis, leaving \$18.2 million in excess funds after subtracting the \$14.2 million decommissioning accrual for 2015.

The Company noted in its petition that it is not asking the Commission to make a determination on how the excess funds should be used; rather the Company is requesting the Commission to set the 2013 excess funds aside, allowing the Commission to consider options for returning these proceeds to the Company's

¹ The Company noted in their filing that DOE and the Company have not begun discussions on the 2014 settlement payment.

customers. According to the Company, the modification to the Order Point 2 is needed to allow the Company to mechanically place the 2013 excess funds in a separate escrow account, instead of the nuclear decommissioning escrow account which does not permit funds to be used for any other purpose. The Company proposed to place the excess funds in the separate external escrow account that the Company established in 2011 to deposit and administer the DOE settlement funds according to the requirements established in each of the Company's jurisdictions.

The Company indicated that they believe approval of their request is appropriate because of the following:

- As required by the December 4, 2012 Order, the 2014 decommissioning accrual will be entirely funded using the 2013 DOE payment.
- The DOE funds in excess of the accrual amount would be placed in an external escrow account while the Commission considers the most appropriate use of these funds, precluding the Company's use of these funds without further direction from the Commission.
- This treatment preserves the option to use the aggregate excess funds in 2013 and 2014 – approximately \$35.7 million – as part of a rate moderation proposal in the Company's upcoming rate case.

The Department notes that since the Company is not requesting the Commission to make a determination on how the excess funds should be used, but instead is requesting to place the excess funds in a separate escrow account, the Department considers this modification to be reasonable. This modification requested by the Company should allow the Commission to have more flexibility in how to give back excess DOE funds to ratepayers, through options such as: an offset to future decommissioning accruals, a rate moderation plan in the Company's current rate case (Docket No. E002/GR-13-868), or a separate refund to customers. As a result, the Department recommends that the Company's request for modification of Order Point 2 be approved by the Commission.

The Department is available should the Commission have any questions regarding this matter.

Sincerely,

/s/ NANCY A. CAMPBELL
Financial Analyst, Energy Planning & Advocacy

NAC/sm

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
Comments**

Docket No. E002/M-11-939 and E002/M-11-807

Dated this 8th day of November, 2013

/s/Sharon Ferguson

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