



414 Nicollet Mall
Minneapolis, MN 55401

April 8, 2013

—Via Electronic Filing—

Mr. Christopher Moseng
Staff Attorney
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: COMMENTS
POSSIBLE AMENDMENTS TO RULES GOVERNING UTILITY PROCEEDING,
PRACTICE, AND PROCEDURE, MINNESOTA RULES CHAPTER 7829
DOCKET NO. U999/R-13-24

Dear Mr. Moseng:

Northern States Power Company, doing business as Xcel Energy, submits to the Minnesota Public Utilities Commission these Comments in response to the Commission's February 15, 2013 Request for Comments in the above-referenced docket.

INTRODUCTION

On February 15, 2013, the Commission issued a Request for Comments from interested parties regarding possible amendments to the Minnesota Rules Chapter 7829, governing Utility Proceeding, Practice, and Procedure, excluding Part 7829.2550, which is subject to a separate pending rulemaking. The Commission provided its current working draft of possible amendments, which would update the rules to eliminate outdated rule language, address statutory changes, clarify existing Commission procedures, and establish procedural requirements that permit the Commission to more effectively perform its quasi-legislative and -judicial functions.

The Request for Comments also explained that the Commission had not determined whether to appoint an advisory committee to comment on the possible amendments and invited comments on the issue.

I. COMMENTS OF XCEL ENERGY

We appreciate the opportunity to comment on possible amendments to Minnesota Rules Chapter 7829. It is clear the Commission and its staff have done considerable work to prepare a working draft of proposed amendments. We agree with the Commission's objectives to update the rules, address statutory changes, clarify existing Commission procedures, and establish certain procedural requirements.

II. COMMENTS ON POSSIBLE RULE AMENDMENTS

A. Minn. R. 7829.0420 Motion Filings

The working draft proposes a possible new rule which would codify the process for Parties to make a motion to request specific Commission action. The Company appreciates this proposed amendment as a way to get important or novel issues to the Commission for consideration. The Company proposes only one specific change to this possible rule: to allow fourteen (14) days to answer a motion, rather than ten (10) days, unless statutory or other requirements mandate a response within ten days. (In other jurisdictions, it is not uncommon to allow fifteen (15) days for answers.) The Company also suggests that the Commission consider whether it may be beneficial to deem certain motions denied after a certain amount of time. Such a process could lessen the Commission's workload somewhat by offering a mechanism to summarily dismiss certain motions.

B. Minn. R. 7829.0600 General Service List

The working draft is not proposing to modify the rule for the General Service List, which then applies to service of Miscellaneous Filings under Minn. R. 7829.1300. To support the Commission's efforts to increase use of electronic service, however, the Company proposes that Subp. 1 include a provision encouraging (or even requiring) parties, that want to be on the General Service List, to provide an email address. We believe this will result in the General Service List rule being more consistent with how parties currently receive service of Miscellaneous Filings (i.e., a total of nearly 32 persons receive service of the Company's miscellaneous electric filings, and approximately 19 percent presently receive notice by U.S. Mail).

C. Minn. R. 7829.1300 Miscellaneous Filings

The working draft includes changes to require information to allow electronic communications, and to establish a general ten (10) day timeline for compliance filings to Commission orders. The Company supports these concepts.

We suggest the Commission also consider including a provision stating that information requests related to Miscellaneous Filings need only be served on the filing entity, and not on the General Service List for the miscellaneous filing, if the requests are submitted prior to the filing of comments under Minn. R. 7829.1400. While we appreciate that the common practice is to serve data requests on the Company's General Service List, we believe greater efficiencies can be achieved if service is required when a party elects to be notified of these information requests, in which case they should.

D. Minn. R. 7829.3150 Untimely Filings

The working draft proposes a possible rule which would allow the Commission to exclude from the record a document not filed within a time period established by rule or Commission order. The Company does not have concerns with this rule, but offers a technical amendment for the Commission's consideration. Xcel Energy recommends subpart 1 to be amended to read:

Subpart 1. When filings may be excluded.

On its own motion or at the request of any party or participant, the commission may exclude from the record a document not filed within a time period established by rule, notice, or commission order if the commission determines that the value of the document to the commission's deliberative process is outweighed by the prejudice to a party, participant, or the public interest.

III. Advisory Committee

The Company appreciates the work Commission and its Staff have done by preparing a working draft of proposed amendments. The Company appreciates the opportunity to comment on the working draft. To the extent the Commission wishes to appoint an advisory committee, Xcel Energy would welcome the opportunity to be a part of the advisory committee. Company representatives participated on the advisory committee that developed the currently effective

Chapter 7829 procedural rules, and Company would welcome the opportunity to assist in such a process again.

CONCLUSION

We appreciate the opportunity to comment on the possible amendments to Minnesota Rules Chapter 7829, governing Utility Proceeding, Practice, and Procedure. We look forward to continuing to work with the Commission staff and other State agencies, as well as other utilities and other interested parties in the rulemaking process.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please contact me at (612) 330-7529 or paul.lehman@xcelenergy.com if you have any questions regarding this filing.

Sincerely,

/s/

PAUL J LEHMAN
MANAGER, REGULATORY COMPLIANCE AND FILINGS

Enclosures
c: Service List

CERTIFICATE OF SERVICE

I, SaGonna Thompson, hereby certify that I have this day served copies of the foregoing document on the attached list of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis, Minnesota

xx electronic filing

DOCKET No. U999/R-13-24

Dated this 8th day of April 2013

/s/

SaGonna Thompson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_13-24_Official
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_13-24_Official
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_13-24_Official
Burl W.	Haar	burl.haar@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_13-24_Official
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_13-24_Official