

The Commission met on **Wednesday, December 23, 2020** with Chair Sieben and Commissioners Schuerger, Sullivan, and Tuma present.

The following matters were taken up by the Commission:

PL-9/CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Proposed Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PL-9/PPL-15-137

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Routing Permit for the Proposed Line 3 Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PL-9/C-20-801

In the Matter of Honor the Earth's October 27, 2020 Petition for Investigation and Complaint Concerning the Capacity of the Enbridge Mainline System

Commissioner Sullivan moved that the Commission deny the petition for reconsideration.

The motion passed 3—1; Commissioner Schuerger voted no.

IP-7041/CN-20-764

In the Matter of the Application of Byron Solar Project, LLC for a Certificate of Need for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Olmsted and Dodge Counties.

Commissioner Tuma moved that the Commission take the following actions:

1. Approve the notice plan proposed by Byron Solar and the modifications recommended by the Department in its November 2, 2020 comments, except
 - a. approve the choice of newspaper as requested by Byron Solar in its November 13, 2020 reply comments, and
 - b. in addition to Byron Solar's intent to mail notice to all mailing addresses within or adjacent to the proposed transmission line corridor, Byron Solar shall provide notice to all landowners within section 36 of Mantorville Township, the Northwest quarter of section 1 of Canisteo Township, and the Northwest quarter of section 31 Kalmar Township in Olmsted County.

2. Approve the requested exemptions with modifications as provided in the Department's November 6, 2020 Comments.
3. Vary the 30-day requirement of Minn. R. 7829.2550, subp. 6. and the statewide circular publication requirements pursuant to Minn. R. 7829.2500, subp. 5.

The motion passed 4—0.

P-999/CI-20-665

In the Matter of Telephone Assistance Plan Review

Commissioner Tuma moved that the Commission:

1. Accept the Telephone Assistance Plan (TAP) Fund Review submitted on September 15, 2020, for the six-month period ending June 30, 2020.
2. Modify the monthly TAP Credit to \$10.00 per household as soon as practicable and decreases the monthly TAP surcharge to \$0.07 per line.
3. Delegate authority to the Executive Secretary to issue a notice setting the deadline for the credit and surcharge changes on telephone bills.

The motion passed 4—0.

G-022/D-20-612

In the Matter of Greater Minnesota Gas, Inc.'s Petition for Approval of its 2020 Depreciation Certification

Chair Sieben moved that the Commission:

1. Approve the Company's depreciation proposals, as shown on page 63 of its petition and as amended on page 2 of the Company's September 17, 2020 reply comments, with an effective date of January 1, 2020.
2. Require the Company to individually depreciate its office building currently in Account 390 as well as any future buildings the Company places into service under Account 390 until the Company files its next depreciation study or general rate case, whichever comes first.
3. Require the Company in its next depreciation study or general rate case, whichever comes first, to specifically discuss whether its expectations have changed for the Account 390 ASLs and explain why or why not.

4. Require the Company to file its next depreciation study by August 1, 2025.

The motion passed 4—0.

G-004/M-20-335

In the Matter of the Petition of Great Plains Natural Gas Co., a Division of Montana-Dakota Utilities Co., for Approval of its Revenue Decoupling Mechanism Rates and Decoupling Evaluation Report for Year 3 of Its Pilot Program

Commissioner Tuma moved that the Commission:

1. Approve the revenue decoupling mechanism factors as presented in the Company's February 28, 2020 filing.
2. Approve the proposed tariff changes as presented in the Company's February 28, 2020 filing.

The motion passed 4—0.

E-015/M-16-564

In the Matter of Minnesota Power's Revised Petition for a Competitive Rate for Energy-Intensive Trade-Exposed (EITE) Customers and an EITE Cost Recovery Rider

E-015/GR-19-442

In the Matter of the Application of Minnesota Power for Authority to Increase Rates for Electric Service in Minnesota

Commissioner Tuma moved that the Commission take the following actions:

1. Grant Minnesota Power's petition of August 31, 2020, to extend the Energy-Intensive Trade-Exposed (EITE) Rider from February 1, 2021 until final rates are implemented in the Company's next rate case, expected to be filed no later than November 1, 2021, with the condition that Minnesota Power is prohibited from recovering any EITE-related costs from non-EITE customers during this time. Approval here in this docket is not a determination of the appropriate treatment of the EITE discount in the rate case as it relates to future interim rates or base rates. Matters regarding whether there should be adjustments to interim or base rates because of EITE impacts are matters to be determined in the future rate case.
2. Require Minnesota Power to terminate the current EITE Rider if it does not file a rate case with a 2022 test year by January 31, 2022. In this contingency, Minnesota Power shall make a filing on February 1, 2022 providing a detailed proposal, to be approved by the Commission, for wrapping up the current EITE Rider.

The motion passed 4—0.

E-002/M-20-620

In the Matter of Xcel Energy's Wind Repower Portfolio

Commissioner Schuerger moved that the Commission take the following actions:

1. Approve Xcel's request to repower the Grand Meadow, Nobles, Border Winds, and Pleasant Valley wind facilities.
2. Allow Xcel to recover the costs of each self-build repowering project, including the existing rate base on each existing facility, through the RES Rider or in base rates across the extended lives of the repowered projects. Any recovery through the RES Rider will require a separate Commission determination that the project(s) are eligible.
3. Approve the proposed PPA for the Ewington project and approve cost recovery for the project through the Fuel Clause Rider (FCR).
 - a. Clarify that approval does not constitute pre-approval of any subsequent purchase by Xcel of the facility or cost recovery according to the terms of purchase contemplated in the PPA.
 - b. Require that no party may transfer the proposed PPA without the consent of the Commission if that transfer would cause any material change to the terms and conditions of the existing agreement.
 - c. Stipulate that Xcel may not purchase the Ewington facility or equity ownership interest in the PPA seller without the consent of the Commission.
4. Keep the instant docket open for consideration and approval of potential other projects as well as their associated cost recovery mechanisms.
5. For all projects approved in this docket, limit any future cost recovery to the MN jurisdictional allocators approved by the Commission.
6. Condition any approvals (self-builds or PPAs) with the following ratepayer protections, as applicable:
 - a. Xcel must justify any costs (including operations-and-management expense, ongoing capital expense— including revenue requirements related to capital included in rate base— insurance expense, land-lease expense, and property/production tax expense) that are higher than forecasted in this proceeding, for either the Ewington PPA or the self-build portfolio. Xcel bears the burden of proof in any future regulatory proceeding related to the recovery of costs above those forecasted in this proceeding.
 - b. The Commission will otherwise hold the Company accountable for the price and terms used to evaluate the project(s).

- c. Ratepayers will not be put at risk for any assumed benefits that do not materialize.
 - d. Xcel customers must be protected from risks associated with the non-deliverability of accredited capacity and/or energy from the Project. The Commission may adjust Xcel's recovery of costs associated with this Project in the future if actual production varies significantly from assumed production over an extended period.
 - e. Xcel must include in its Fuel Clause Adjustment true-up filings the amount of any curtailment payments for the project, along with explanations for the curtailments.
 - f. The Company must clearly account for all costs incurred for the project(s).
 - g. The Company must file a compliance filing by June 30, 2021 that provides an update on the status of the project(s).
 - h. The Company must report quarterly, until the project(s) is in service, project failures along with the options available to the Commission to remedy any failures that occur.
7. For future repowering petitions that include more than one project, Xcel shall evaluate the proposed wind projects both on an individual basis and as a total portfolio.
8. Xcel shall report on how this repowering project is consistent with the info requested in May 20, 2020 notice issued in Docket No. 20-492.

The motion passed 4—0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: February 17, 2021



Will Seuffert, Executive Secretary