

July 28, 2020

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

RE: **Comments of the Minnesota Department of Commerce, Division of Energy Resources**
Docket No. E290, E142/SA-20-566

Dear Mr. Seuffert:

Attached are the Comments of the Minnesota Department of Commerce, Division of Energy Resources (Department) in the following matter:

The Joint Request of the Owatonna Public Utilities and Steele-Waseca Cooperative Electric to update electric service territory records.

The petition was filed on July 2, 2020 by:

Kathleen M. Brennan
McGrann Shea Carnival Straughn & Lamb, Chartered
800 Nicollet Mall, Suite 2600
Minneapolis, MN 55402

The Department recommends that the Minnesota Public Utilities Commission (Commission) approve the service territory transfer from Steele-Waseca Cooperative Electric to Owatonna Public Utilities, on receipt of the legal description as requested herein, and is available to answer any questions the Commission may have.

Sincerely,

/s/ DALE V. LUSTI
Financial Analyst

DVL/ar
Attachment



Before the Minnesota Public Utilities Commission

Comments of the Minnesota Department of Commerce
Division of Energy Resources

Docket No. E290, E142/SA-20-566

I. BACKGROUND

Steele-Waseca Cooperative Electric (the Cooperative) is an electric distribution cooperative formed pursuant to the provisions of Minn. Stat. Chapter 308A. Owatonna Public Utilities (the Municipal) operates a municipal utility under laws of the State of Minnesota. Together, the Cooperative and the Municipal are the Parties.

II. SUMMARY OF PROPOSAL

On July 2, 2020, the Parties jointly filed a petition under Minn. Stat. § 216B.44, asking the Minnesota Public Utilities Commission (Commission) to modify the Parties' service territory boundaries (Petition). The Petition requests that the three Transfer Areas be permanently transferred from the Cooperative's to the Municipal's assigned service area.

III. DEPARTMENT ANALYSIS

A. TRANSFER OF THE AFFECTED AREAS FROM THE COOPERATIVE TO THE MUNICIPAL

Exhibit A to the Petition is a map and legal description that identifies the boundaries of the Transfer Areas which includes approximately 200.65 acres, one existing commercial customer, and one future industrial customer that is under construction and being serve by the Cooperative.

The following is the information provided in the filing regarding the legal description of the Affected Areas:

WILDUNG NORTH ADDITION

WILDUNG NORTH ADDITION, as the same is platted and recorded in the office of the Steele County Recorder, Steele County, Minnesota.

PART OF SECTION-32-T108N-R20W

All that part of the SE¼ of Section 32-T108N-R20W, Steele County Minnesota; described as follows:

Beginning at the northwest corner of said SE $\frac{1}{4}$; thence South $89^{\circ}37'19''$ East a distance of 729.56 feet, on an assumed bearing on the north line of said SW $\frac{1}{4}$;

Thence South $55^{\circ}46'29''$ East a distance of 1186.79 feet;

Thence North $69^{\circ}36'56''$ West a distance of 1704.63 feet, to the west line of said SE $\frac{1}{4}$;

Thence North $00^{\circ}05'42''$ East a distance of 661.95 feet, to the point of beginning.

PART OF SECTION 18-T107N-R20W

Parcels 8, 9, and 10 of STEELE COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 14;

AND

The South 50 feet of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18-T107N-R20W Steele County, East of Parcel 9 of STEELE COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 14;

AND

The North 33.00 feet of the West 75.00 feet of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18-T107N-R20W;

AND

The North 33.00 feet of the West 75.00 feet of the NW $\frac{1}{4}$ Section 18-T107N-R20W;

AND

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18-T107N-R20W, Steele County, East of Parcel 9 of STEELE COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 14;

AND

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18-T107N-R20W, Steele County, Minnesota;

AND

The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 18-T107N-R20W, East of Parcel No. 10 of STEELE COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 14, less and except Parcel No 32A of Minnesota Department of Transportation Right of Way Plat No. 74-33;

AND

All that part of Parcel No. 32A of Minnesota Department of Transportation Right of Way Plat No. 74-33 in the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ Section 18-T107N-R20W, Steele County, Minnesota;

AND

The East 75.00 feet of Parcel No. 32A of Minnesota Department of Transportation Right of Way Plat No. 74-33, in the SW 1/4 of Section 18-T107N-R20W, Steele County, Minnesota.

Per the Petition, the Parties note the transfer of electric service to the one existing Commercial Customer occurred on June 6, 2020.

The Minnesota Geospacial Information Office (MnGeo) keeps the Commission's electric service area maps up to date; to do so, MnGeo requires the legal descriptions of land parcels. To facilitate a timely update to the service area map, the Department requests that the Parties provide in reply comments or as soon as possible the legal description of the Wildung North Addition that "is platted and recorded in the office of the Steele County Recorder, Steele County, Minnesota."

B. CUSTOMER NOTICE

Although the Petition at page 2 mentions that the Proposed Customer notice was attached as Exhibit B; however, it was not. Exhibit A to the Certificate of Service submitted to the Commission on July 23, 2020 is the customer notice provided on July 22, 2020 to all customers in the Transfer Areas.

C. COMPENSATION

The Department notes that the Parties have agreed on compensation for the permanent transfer of service territory.

Thus, the Department agrees that the Parties' request to establish the Affected Area as part of the Municipal's service area is consistent with Minn. Stat. § 216B.39 and 216B.44.

IV. RECOMMENDATION

The Department recommends that the Commission approve the permanent service territory transfer from Steele-Waseca Cooperative Electric to Owatonna Public Utilities. MnGeo should update the Commission's maps to reflect the service area designation as shown on the map in the Petition.

/ar