

12-383 Late-Filed Decision Options

FIELD	INSTRUCTIONS
NEW/REVISED DECISION OPTION Proposed by	<ul style="list-style-type: none"> • New Decision Option 8A; Office of the Attorney General (OAG) • Amended Decision Option 23; Commissioner Tuma • New Decision Option 25; Commissioner Tuma • New Decision Option 25; Commissioner Partridge • New Decision Option 26; Commissioner Partridge
Agenda meeting date	December 4, 2025
DOCKET NUMBER	<ul style="list-style-type: none"> • E, G-002/CI-02-2034 • E, G-002/M-12-383
ANALYST(S)	Sally Anne McShane
DATE/TIME SUBMITTED	<ul style="list-style-type: none"> • 12/02/25 2:19pm; OAG • 12/02/25 3:37pm; Commissioner Tuma • 12/02/25 4:11pm; Commissioner Partridge
TITLE	<ul style="list-style-type: none"> • Decision Options from OAG • Revised Decision Option Proposed by Commissioner Tuma • New Decision Options 25 and 26 Proposed by Commissioner Partridge
ATTACHMENT	None
SUBJECT	<p>In the Matter of an Investigation & Audit of Service Quality Reporting – Fraudwise Report.</p> <p>In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of Amendments to its Natural Gas and Electric Service Quality Tariffs Originally Established in Docket No. E, G-002/CI-02-2034.</p>
Additional Guidance Definitions: New – A decision option that is not connected to an existing decision option. Only bold red font identification. Revised – Proposes a revision to a decision option included in the briefing papers. Bold red font identification. <u>Red underline</u> and strike edits made with the revision. Alternative – Proposes to replace a decision option with an alternative that cannot be easily shown by revisions. Bold red font identification and which decision option it relates to.	<p>OAG New 8A. Require Xcel Energy to disburse the Telephone Response Time under performance payment in accordance with its QSP tariff.</p> <p>Tuma Amended 23. Require Xcel Energy to hold a stakeholder process to modernize <u>or develop a new</u> Quality of Service Plan <u>for</u> under performance penalties and expanded <u>ed</u> Quality of Service Plan metrics. <u>Xcel Energy shall provide a narrative in their next Service Quality Report detailing the stakeholder process and any completed or proposed actions resulting from the process. Within 90 days of the order in this docket Xcel Energy shall provide a compliance filing with the work plan for this stakeholder process and any progress made at that time.</u></p> <p>Tuma New 25. For the year starting January 1, 2026, each violation of the QSP metric standards for customer complaints to the PUC, telephone response time, gas emergency average response time, accurate invoices, and invoice adjustment timelines are subject to a separate and distinct \$1000 penalty pursuant to Minn. Stat. § 216B.57. The Commission will review possible referral to the OAG for collection of these penalties through the review of the Service Quality Report for services rendered in 2026. If no resolution is approved by the Commission from the stakeholder process reviewing the Quality Service Plan by the end of 2026 these penalties will continue until such resolution is approved by the Commission or the Commission orders them to be discontinued or modified.</p> <p>Partridge New 25. Authorize the Executive Secretary to open a new docket under the Commission’s authority in Minn. Stat. § 216B.16, subdivision 19, paragraph (h) to establish a performance-based regulatory framework focused solely on improving Xcel Energy’s electric customer service performance. The framework must incorporate the metrics included in Xcel Energy’s Quality of Service Plan, as laid out in the following table:</p>

Xcel's QSP Metrics

Metrics		Metric Standards
1	Customer complaint to PUC	≤383 complaints*
2	Telephone response time (% of calls answered in ≤ 20 secs.)	≥80%
3	Electric reliability – SAIFI	≤133.23 mins.
4	Electric reliability – SAIDI	≤1.21 outage events
5	Gas emergency average response time	≤60 mins.
6	Accurate invoices	≥99.3%
7	Invoice adjustment timelines	≤2.35 billing periods

This new docket must also incorporate the compliance filings and performance of Xcel Energy in the Commission Investigation of the significant increase in billing error complaints from residential customers of Xcel Energy in Docket E,G-002/CI-25-341. In addition to other topics deemed appropriate to notice for comment by the Executive Secretary, the notice establishing the docket shall request comments on whether the Department's three-tier penalty structure proposed in the Department's August 15, 2025 reply comments in this docket, is an appropriate starting point for incentives under the customer service performance framework.

This new docket must be kept entirely separate from the performance metrics docket, 17-401.

Partridge New 26. Within 30 days of this Order becoming effective, Xcel Energy shall submit a detailed explanation of how the 2024 data provided for the Accurate Invoices and Invoice Adjustment Timelines metrics in the current docket correspond and reflect the data and issues identified in the Commission investigation into recent increase in residential billing errors committed by Xcel Energy in Docket No. E, G-002/CI-25-341. The explanation should be filed in this docket and Docket No. E, G-002/25-341.

ORIGINAL DECISION OPTIONS FROM BRIEFING PAPERS

I. Threshold Issues for Commission Consideration

A. Acceptance of Quality of Service Plan Report

1. Accept Xcel Energy's annual 2024 Quality of Service Plan report. (*Xcel, DOC*)

B. Disbursement of the Customer Complaint Under Performance Payment

2. Approve Xcel Energy's proposal to use \$500,000 of the Customer Complaints under performance payment for \$500 bill credits to 1,000 customers who have a past-due balance greater than \$2,000, have not otherwise received energy assistance, have received a disconnection notice, and made a payment on their account in the last 90 days. (*Xcel, OAG, DOC*)

Other Options for Disbursing the Customer Complaint Under Performance Payment

3. Require Xcel Energy to use the entire \$1,000,000 Customer Complaints under performance payment for \$500 bill credits to 1,000 customers who have a past-due balance greater than \$2,000, have not otherwise received energy assistance, have received a disconnection notice, and made a payment on their account in the last 90 days. (*OAG, CUB, ECC*)

[OR]

4. Require Xcel Energy to use the entire \$1,000,000 Customer Complaints under performance payment for \$500 bill credits to 1,000 customers who have a past-due balance greater than \$1,000, have not otherwise received energy assistance, have received a disconnection notice, and made a payment on their account in the last 90 days, in order of: (*CUB alternative*)

- a. Oldest to newest outstanding balance.

[OR]

- b. Largest to smallest outstanding balance. (*Xcel preference*)

C. Disbursement of the Telephone Response Time Under Performance Payment

5. Approve Xcel Energy's proposal to use \$500,000 of the Telephone Response Time under performance payment for deployment of its Live Chat function as modeled on a small pilot. (*Xcel*)

[If Decision Option 5 is chosen, Decision Option 6 may also be chosen.]

6. Require Xcel Energy to report on how its Live Chat function impacts telephone response

m Staff Briefing Papers for Docket No. E, G-002/CI-02-2034 & E, G-002/M-12-383 (Item **1 on December 4, 2024 Agenda Meeting)

time and whether it will seek to increase staffing in the future in its annual 2025 Quality of Service Plan report. *(Xcel, Staff suggestion on reporting location)*

Other Options for Disbursing the Telephone Response Time Under Performance Payment

7. Require Xcel Energy to use the entire \$1,000,000 Telephone Response Time under performance payment for \$500 bill credits to 1,000 customers who have a past-due balance greater than \$2,000, have not otherwise received energy assistance, have received a disconnection notice, and made a payment on their account in the last 90 days. *(CUB, ECC)*

[OR]

8. Require Xcel Energy to consult with stakeholders on how to disburse \$500,000 of the Telephone Response Time under performance payment. *(DOC alternative, OAG)*

II. Additional Considerations

A. Expanding the Customer Complaints Metric Standard

9. Approve Xcel Energy's proposal to adjust the Customer Complaints standard to retain the same method (1.5 standard deviations) and the number of years (seven) but update the calculation to reflect the most recent seven years (2018 – 2024), thereby allowing ≤ 0.649 complaints per 1,000 customers. *(Xcel)*

[If Decision Option 9 is chosen, Decision 10 must be chosen as well.]

10. Approve Xcel Energy's proposal to modify its Minnesota Electric and Gas Rate Books, General Rules and Regulations (Section 6), Service Quality (Sheet No. 7.7) to read: *(Xcel)*

E. Under Performance Measures

1. Customer Complaints

This metric measures the number of Customer Complaints submitted by the Commission's Consumer Affairs Office. An under performance payment will be assessed in any year in which the number of complaints exceeds ~~0.2059~~ 0.649 complaints per 1,000 customers.


11. Require Xcel Energy to implement proactive educations and communication to mitigate potential increases in customer complaints related to wildfires. *(Xcel, DOC)*

[AND]

12. Require Xcel Energy to work with the Commission's Consumer Affairs Office on all written customer outreach materials related to wildfires. *(Staff recommendation)*

B. Refining the Definition of 'Customer Complaint'

13. Approve Xcel Energy's proposal to modify the definition of "Customer Complaint" in the Minnesota Electric and Gas Rate Books, General Rules and Regulations (Section 6),

 Staff Briefing Papers for Docket No. E, G-002/CI-02-2034 & E, G-002/M-12-383 (Item **1 on December 4, 2024 Agenda Meeting)

Service Quality (Sheet No. 7.2) as follows: *(Xcel in reply comments)*

7. "Customer Complaint" is defined as any complaint submitted, in writing, by US Mail, e-mail, or by fax, registered by the Minnesota Public Utilities Commission's Consumer Affairs Office to the Company, regarding a complaint submitted by an Xcel Energy customer in which the customer states a grievance related to the Company's provision of service to that customer, provided that the complaint has first been submitted to the Company and the is dissatisfied with the resolution proposed by the Company. General inquiries to the Consumer Affairs Office, where the customer has not requested to register a complaint, shall not be counted as Customer Complaints.

C. Removing IVR from the Telephone Response Time Metric

14. Require Xcel Energy to revise its Minnesota Electric and Gas Rate Books, General Rules and Regulations (Section 6), Service Quality (Sheet No. 7.4) as follows: (OAG)

A. Definitions

20. "Telephone Response Time" measures the time to answer all customer initiated calls directed to the Company's call center or to its business office, ~~regardless of whether the call is answered by a Company representative or the Company's Interactive Voice Response (IVR) system. If a customer chooses to talk to a Company representative, Telephone Response Time is measured from the time the call is routed to a Customer Service Representative (CSR), after the customer first verifies their identity and selects the reason for the call, to the time the call is responded to by a CSR.~~

a. "Answer" in the context of measuring Telephone Response Time means that an operator or representative is ready to render assistance or accept the information to handle the call. Acknowledging that the customer is waiting on the line and will be served in turn is not an answer. If the Company uses an automated call-processing system, such as an Interactive Voice Response (IVR) System, the 20-second period begins when the customer has selected a menu option to speak to a live operator or representative. If the Company uses an automatic call processing system, such as an IVR system, it must provide the option to opt out of the automated call-processing system, and it must not delay connecting the caller to a live operator or representative for purposes of playing promotional announcements. "Answer" may mean connecting the caller to a recording providing, to the extent practicable, at least the following information:

~~A. the number of customers affected by the interruption;~~

~~B. the cause of the interruption;~~

~~C. the location of the interruption; and~~

~~D. the Company's best estimate of when service will be restored, by geographical area.~~

15. Require Xcel Energy to revise its Minnesota Electric and Gas Rate Books, General Rules and Regulations (Section 6), Service Quality (Sheet No. 7.7) as follows: (OAG)

E. Under Performance Measures

2. Telephone Response Time

Exclusions

Telephone Response Time will be recorded and reported with no exclusions. The Company must report both the percent of calls answered within the benchmark period, as well as the average length of telephone response times. The Company may request exclusion of certain

m Staff Briefing Papers for Docket No. E, G-002/CI-02-2034 & E, G-002/M-12-383 (Item **1 on December 4, 2024 Agenda Meeting)

calls that the Company can demonstrate are the result of an event beyond the Company's control, which the Company took reasonable steps to address.

- 16.** Require Xcel Energy to report Telephone Response Time in future annual Quality of Service Plan reports and future annual Electric SRSQ reports as follows:
 - a. Percentage of calls to the Company's call center or business office answered in 20 seconds or less *excluding* calls responded to by IVR. (*DOC, CUB*)
 - b. Percentage of calls to the Company's call center or business office answered in 20 seconds or less *including* calls responded to by IVR. (*CUB*)
 - c. Average customer wait time for calls not answered in 20 seconds or less. (*CUB*)

D. Adjusting the Under Performance Penalty Adjustments

Options for Adjusting the Under Performance Penalties

- 17.** Require Xcel Energy to increase the per-metric under performance penalties to adjust for inflation per the Commission's October 9, 2024 Order. (*OAG, ECC*)

[OR]

- 18.** Set Xcel Energy's per-metric under performance penalties at \$1.38 million and require annual inflation adjustments on a forward-looking basis. (*CUB alternative*)

[OR]

- 19.** Set Xcel Energy's per-metric under performance penalties at \$1.5 million and require inflation adjustments every three years. (*CUB alternative*)

[OR]

- 20.** Set Xcel Energy's per-metric under performance penalties at \$2 million. Require Xcel Energy to index the under performance penalties to annual net income as reported in its gas and electric jurisdictional reports filed in Docket No. E, G-999/PR-YR-4. (*OAG, CUB alternative*)

[OR]

- 21.** Require Xcel Energy to adopt the proposed 3-tier under performance penalty structure in the Department's August 15, 2025 reply comments, subject to any base penalty adjustments. (*DOC, OAG, CUB*)

- 22.** Require Xcel Energy to modify the disbursement of under performance payments in its Minnesota Electric and Gas Rate Books, General Rules and Regulations (Section 6), Service Quality (Sheet No. 7.6) to read as proposed in CUB's August 15, 2025 reply comments: (*CUB*)

C. Under Performance Payment Disbursement

m Staff Briefing Papers for Docket No. E, G-002/CI-02-2034 & E, G-002/M-12-383 (Item **1 on December 4, 2024 Agenda Meeting)

~~50% of any under performance payments assessed will be applied to customer bills during the following July billing cycle of a given performance year. Any bill credit amounts not remitted by the end of the July billing cycle shall accrue interest beginning after the September billing cycle of the applicable year at a rate equal to that applied to the Company's customer deposits.~~

~~50% of any under performance payments assessed will be added to the amount budgeted for the maintenance and repair of the Company's natural gas and electric distribution system. The Company shall maintain records sufficient to enable tracking, by Work Center, the amounts budgeted, amounts added due to under performance payments incurred, and amounts expended in a given year.~~

Any under performance payments assessed will be used to provide customers with arrearage forgiveness and/or be put to uses designed to address the cause of metric exceedance. The Company must file with the Commission a proposal for the disbursement of under performance payments describing the relationship between the proposed use of funds and the metric exceeded, the amounts to be expended, and any additional ongoing expenses that could be incurred as a result of the proposed disbursement approach. The Commission will consider each proposal on a case-by-case basis to determine the most appropriate uses for under performance payments. The Company shall not earn a return on the portion of any investment or project funded by an under performance payment.

Other Methods to Adjust Under Performance Penalties

23. Require Xcel Energy to hold a stakeholder process to modernize Quality of Service Plan under performance penalties and expand Quality of Service Plan metrics. (ECC)

[OR]

24. Refer the matter of adjustments to Xcel Energy's Quality of Service Plan to the Court of Administrative Hearings. (OAG)



The Office of
Minnesota Attorney General Keith Ellison
helping people afford their lives and live with dignity, safety, and respect • www.ag.state.mn.us

December 2, 2025

Sasha Bergman
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Re: Decision Options

***In the Matter of the Petition of Northern States Power Co. d/b/a Xcel Energy for Approval of Amendments to its Natural Gas and Electric Service Quality Tariffs Originally Established in Docket No. E, G-002/CI-02-2034
Docket No. E, G-002/M-12-383***

Dear Ms. Bergman:

The Office of the Attorney General – Residential Utilities Division (OAG) thanks Staff for the Staff Briefing Papers filed in this action on November 19, 2025. The OAG submits this letter to clarify its position on two decision options listed therein.

First, the Staff Briefing Papers state that OAG supports Decision Option 8, recommending that the Commission “require Xcel Energy to consult with stakeholders on how to disburse \$500,000 of the Telephone Response Time under performance payment.”¹

OAG offered two alternative proposals on how to disburse \$500,000 of the Telephone Response Time under performance payment, recommending either that the money be disbursed according to the tariff, or that the Commission require Xcel to consult with stakeholders. OAG’s full position was stated as follows:

The Commission should deny Xcel’s proposal to use 50 percent of the call response time underperformance penalty to accelerate deployment of its live chat pilot. Xcel should either return the \$500,000 to ratepayers as contemplated by the QSP tariff or the Commission should order Xcel to discuss an alternative proposal with stakeholders.²

¹ Staff Briefing Papers at 36 (Nov. 19, 2025).

² OAG Reply Comments at 8 (Aug. 15, 2025).

There is currently no Decision Option that represents the position of disbursing the money according to the tariff. The OAG therefore presents OAG Decision Option 8a:

OAG 8a: Require Xcel Energy to disburse the Telephone Response Time under performance payment in accordance with its QSP tariff.

This proposal is for clarity and should not be interpreted as the OAG's preference; as regards the Telephone Response Time under performance penalty, the OAG is comfortable with any of Decision Options 7, 8, or OAG 8a, and only opposes Decision Option 5.

Second, the Staff Briefing Papers state that RUD supports Decision Option 24, recommending that the Commission "refer the matter of adjustments to Xcel Energy's Quality of Service Plan to the Court of Administrative Hearings."³

To be clear, the OAG recommends requesting mediation by CAH only if the Commission wishes to explore further improving and modernizing the QSP Tariff as recommended by ECC, as mediation is more likely to be successful than a stakeholder process.⁴ Furthermore, it should be stressed that the OAG's recommendation was only to request mediation services from CAH, not to refer the matter to CAH for a contested case.

Sincerely,

/s/ **Joey Cherney**

JOEY CHERNEY

Assistant Attorney General

(651) 300-7569 (Voice)

(651) 296-9663 (Fax)

Joey.cherney@ag.state.mn.us

³ Staff Briefing Papers at 29.

⁴ OAG Reply Comments at 7.

REVISED DECISION OPTION
Proposed by Commissioner Tuma
December 4, 2025

DOCKET NUMBER	E,G002/CI-02-2034; E,G002/M-12-383
ANALYST	Sally Anne McShane
DATE/TIME SUBMITTED	12/02/2025 3:15 PM
TITLE	Tuma Revised 23
ATTACHMENT	No
SUBJECT	“In the matter of an Investigation & Audit of Service Quality Reporting – Fraudwise Report; In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of Amendments to its Natural Gas and Electric Service Quality Tariffs Originally Established in Docket No. E, G-002/CI-02-2034”

Tuma Amended 23. Require Xcel Energy to hold a stakeholder process to modernize or develop a new Quality of Service Plan for under performance penalties and expanded ed Quality of Service Plan metrics. Xcel Energy shall provide a narrative in their next Service Quality Report detailing the stakeholder process and any completed or proposed actions resulting from the process. Within 90 days of the order in this docket Xcel Energy shall provide a compliance filing with the work plan for this stakeholder process and any progress made at that time.

Tuma New 25. For the year starting January 1, 2026, each violation of the QSP metric standards for customer complaints to the PUC, telephone response time, gas emergency average response time, accurate invoices, and invoice adjustment timelines are subject to a separate and distinct \$1000 penalty pursuant to Minn. Stat. § 216B.57. The Commission will review possible referral to the OAG for collection of these penalties through the review of the Service Quality Report for services rendered in 2026. If no resolution is approved by the Commission from the stakeholder process reviewing the Quality Service Plan by the end of 2026 these penalties will continue until such resolution is approved by the Commission or the Commission orders them to be discontinued or modified.

NEW DECISION OPTIONS 25 AND 26

Proposed by Commissioner Partridge

December 4, 2025

DOCKET NUMBERS E, G-002/CI-02-2034 and E, G-002/CI-12-383

ANALYST Sally Anne McShane

DATE/TIME SUBMITTED 12/02/25 3:45pm

TITLE Partridge New 25 and Partridge New 26

ATTACHMENT No

SUBJECT In the Matter of an Investigation & Audit of Service Quality Reporting – Fraudwise Report.

In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of Amendments to its Natural Gas and Electric Service Quality Tariffs Originally Established in Docket No. E, G-002/CI-02-2034.

Partridge New 25. Authorize the Executive Secretary to open a new docket under the Commission's authority in Minn. Stat. § 216B.16, subdivision 19, paragraph (h) to establish a performance-based regulatory framework focused solely on improving Xcel Energy's electric customer service performance. The framework must incorporate the metrics included in Xcel Energy's Quality of Service Plan, as laid out in the following table:

Xcel's QSP Metrics

Metrics		Metric Standards
1	Customer complaint to PUC	≤383 complaints*
2	Telephone response time (% of calls answered in ≤ 20 secs.)	≥80%
3	Electric reliability – SAIFI	≤133.23 mins.
4	Electric reliability – SAIDI	≤1.21 outage events
5	Gas emergency average response time	≤60 mins.
6	Accurate invoices	≥99.3%
7	Invoice adjustment timelines	≤2.35 billing periods

This new docket must also incorporate the compliance filings and performance of Xcel Energy in the Commission Investigation of the significant increase in billing error complaints from residential customers of Xcel Energy in Docket E,G-002/CI-25-341.

In addition to other topics deemed appropriate to notice for comment by the Executive Secretary, the notice establishing the docket shall request comments on whether the Department's three-tier penalty structure proposed in the Department's August 15, 2025 reply comments in this docket, is an appropriate starting point for incentives under the customer service performance framework.

This new docket must be kept entirely separate from the performance metrics docket, 17-401.

Partridge New 26. Within 30 days of this Order becoming effective, Xcel Energy shall submit a detailed explanation of how the 2024 data provided for the *Accurate Invoices* and *Invoice Adjustment Timelines* metrics in the current docket correspond and reflect the data and issues identified in the Commission investigation into recent increase in residential billing errors committed by Xcel Energy in Docket No. E, G-002/CI-25-341. The explanation should be filed in this docket and Docket No. E, G-002/25-341.