

**STATE OF MINNESOTA
BEFORE THE PUBLIC UTILITIES COMMISSION**

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In the Matter of the Petition of Northern
States Power Co. d/b/a Xcel Energy for
Approval of a Residential Time of Use Rate
Design

DOCKET NO. E-002/M-23-524

**COMMENTS OF THE OFFICE OF THE
ATTORNEY GENERAL REGARDING
XCEL'S SUPPLEMENTAL PROPOSAL**

INTRODUCTION

The Office of the Attorney General—Residential Utilities Division (OAG) respectfully submits the following Comments regarding the revised proposal of Northern States Power Company, doing business as Xcel Energy (Xcel) to establish a Time of Use (TOU) rate design for residential customers.

Xcel's new proposal represents a marked improvement over its initial proposal. The OAG commends Xcel for following the OAG's recommendation to develop a new TOU rate, one that can increase consumer choice but reduces the risk of consumer harm. The OAG is also hopeful that the new design will more effectively perform the intended function of reducing costs through reducing peak demand.

While the new proposal is an improvement, it contains some of the same flaws as the initial proposal. Most importantly, the new proposal lacks bill protection. Additionally, whereas the initial proposal suffered from a lack of analysis of the impact it would have on customers, the new proposal lacks real-world data entirely. Xcel is thus asking customers to bear the too much of the risk of switching to a TOU rate, which is both unfair to customers and unlikely to result in sufficient customer uptake for the TOU rate to effectively reduce peak.

Accordingly, the OAG recommends modifications to the new proposal. First, the OAG recommends that customers who switch to the new TOU rate receive bill protection; this includes both current TOU customers who Xcel proposes to default onto the new rate and customers who opt into it. Second, because the new proposal essentially serves as a pilot of an untested rate design, the OAG recommends that Xcel be ordered to study the effects of the new rate to ensure that it accomplishes its goals without harming ratepayers. With proper safeguards and data analysis, a new TOU offering can give Minnesotans the option to save money by shifting their load, without the risk of unaffordable surprise bills, and in doing so reduce costs for all ratepayers by curbing peak demand.

BACKGROUND

In 2015, the Commission ordered creation of a docket to investigate “rate designs that promote energy conservation, reduce peak demand, and/or send more accurate, useful price signals to customers.”¹ In this new docket, the OAG and several other parties recommended that a TOU rate be developed and provided specific parameters for the process.² From the OAG’s perspective, the Pilot had three primary goals: (1) to determine the most effective prices and on-peak periods to reduce peak demand; (2) to identify the most effective customer education strategies; and (3) to understand the impact of TOU rates on vulnerable customer segments like low-income customers.³

¹ *In the Matter of the Application of Northern States Power Company for Authority to Increase Rates for Electric Service in the State of Minnesota*, MPUC Docket No. E-002/GR-13-868, Findings of Fact, Conclusions, and Order 90 (May 8, 2015).

² *In the Matter of an Alternative Rate Design Stakeholder Process for Xcel Energy*, MPUC Docket No. E-002/CI-15-662, Comments of the Office of the Attorney General (March 31, 2017); Comments of the Citizens Utility Board of Minnesota (March 31, 2017); Comments of Fresh Energy and Minnesota Center for Environmental Advocacy (March 31, 2017).

³ *In the Matter of Xcel’s Residential Time of Use Rate Design Pilot Program*, MPUC Docket No. E-002/M-17-775, Comments of the Office of the Attorney General 6 (Feb. 5, 2018).

Xcel conducted its TOU Pilot from 2020 to 2022. The TOU rate was assigned to households on an opt-out basis, which allowed Xcel to run the Pilot as a randomized controlled trial.⁴ Xcel enrolled 10,000 households as “participants” who would receive the TOU Pilot rate, and 7,500 households as the control group.⁵ Participants and controls were also tracked according to particular attributes to study how various segments of the population respond to TOU rates.⁶ These segments were (1) electric-vehicle owners; (2) seniors; (3) renters; (4) low-income customers;⁷ and (5) customers with smart thermostats.⁸

The Pilot had two bill protection mechanisms, one that applied to all Pilot participants and one that applied only to LIHEAP recipients.⁹ The universal bill protection applied if, after the first year of participation at the same location, a participant’s annual TOU-rate bill exceeded their standard-rate bill by more than 10 percent. This protection was available as a one-time credit equaling the difference between the customer’s actual increase and a ten percent bill increase. The enhanced LIHEAP bill protection was a full true-up to standard rates on a monthly basis during the first year of the Pilot. If these customers were still participants at the end of the second year, they were eligible for a one-time bill credit covering the second year that was calculated on the same basis as the universal credit.

⁴ Docket No. E-002/M-17-775, Compliance Filing – Pilot Completion, Att. A at 37-38 (Feb. 10, 2023) (eDocket No. [20232-193091-01](#)).

⁵ *Id.* at 38.

⁶ *Id.*

⁷ Xcel only included LIHEAP recipients in the low-income customer segment, although only a fraction of low-income Minnesotans actually receives LIHEAP assistance. *See* Comments of the Office of the Attorney General at 16, footnote 72 (May 17, 2024) (eDocket No. [20245-206882-02](#)).

⁸ Docket No. E-002/M-17-775, Compliance Filing – Pilot Completion, Att. A at 39.

⁹ Docket No. E-002/M-17-775, Initial Filing at 27 (Nov. 1, 2017).

Broadly speaking, the TOU design tested in the Pilot was a failure. The demand impacts ranged from small to statistically insignificant, both on an average per-customer basis and in terms of coincident peak demand.¹⁰ The consulting firm that evaluated the Pilot hypothesized that part of the problem may have been customers abandoning attempts to shift load after not seeing a significant drop in their electricity bills.¹¹ At the same time, 975 participants ended up needing bill protection,¹² or nearly ten percent before accounting for opt-outs or move-outs. For low-income participants, the bill protection rate jumped up to 15 percent.¹³ And even after two years of Pilot participation, only about half of participants could identify some of the basic features of the TOU rate they were on.¹⁴

Following the Pilot, Xcel did not conduct a proper analysis of the results. The reason for the extremely modest demand impacts remained mysterious.¹⁵ Bill impacts were reported in averages, which left the Commission and stakeholders unable to assess how many households saw bill increases and how large their monthly bill increases were.¹⁶ It was only in appendices to the new proposal that Xcel reported the full distribution of bill impacts.¹⁷ Additionally, it remained unclear why so many customers did not understand the TOU rate—and when Xcel began an opt-out TOU rate in Colorado in 2022, it encountered similar customer confusion, demonstrating that Xcel still had not developed an effective customer-education strategy.¹⁸

¹⁰ Docket No. E-002/M-17-775, Compliance Filing – Pilot Completion, Att. A at 8, 88.

¹¹ *Id.* at 74.

¹² Comments of the Office of the Attorney General, Att. D at 2 (May 17, 2024).

¹³ Xcel Supplement at 30 (Aug. 16, 2024).

¹⁴ Initial Filing, Att. A at 47 (Dec. 22, 2023).

¹⁵ See Docket No. E-002/M-17-775, Compliance Filing – Pilot Completion, Att. A at 32-61.

¹⁶ See Comments of the Office of the Attorney General at 14-17 (May 17, 2024).

¹⁷ Xcel Supplement, Att. D, E (Aug. 16, 2024).

¹⁸ Initial Filing, Att. B at 33 (Dec. 22, 2023).

Despite the lackluster results and lack of proper analysis, Xcel filed the initial proposal to move all residential customers to a TOU rate very similar to the Pilot rate. The initial proposal had a five-hour on-peak period from 3 p.m. to 8 p.m., high on-peak prices, and high peak-to-off-peak price ratios (7.3-to-1 in the summer and 5-to-1 in the winter).¹⁹ The initial proposal also included a summer base rate roughly 3.5 cents per kilowatt-hour (kWh) higher than Xcel's regular base rate.²⁰ Together, this was estimated to result in average monthly summer bills of \$103.75 and average monthly winter bills of \$53.89.²¹ Xcel proposed to make this its default rate.

Commenters and members of the public raised concerns with many parts of the initial proposal, including the long early-evening on-peak period²² and high price ratios.²³ The OAG raised concerns about the lack of Pilot data analysis,²⁴ and numerous commenters recommended that Xcel conduct further or continued analysis of TOU rates.²⁵ After receiving so much negative feedback from commenters and from the public, Xcel performed a new analysis of the initial proposal informed by data from its 2024 Integrated Resource Plan.²⁶ The initial proposal had relied on analyses and forecasts from 2017, rather than current data or even data from Xcel's 2019-2022 IRP.²⁷ From the new analysis, Xcel discovered that the initial proposal's peak pricing period did

¹⁹ Initial Filing at 11 (Dec. 22, 2023).

²⁰ *Id.* at 12.

²¹ *Id.* at 13.

²² Comments of Fresh Energy at 7-9 (May 17, 2024); Comment of Christopher Geisler (Feb. 8, 2024); Comment of Brenna Brosch (Feb. 12, 2024).

²³ Comments of Citizens Utility Board at 6-7 (May 17, 2024); Comment of Daniel Dick (Feb. 9, 2024); Comment of James Enoksen (Feb. 8, 2024); Comment of Abby Tekiela (Feb. 8, 2024).

²⁴ Comments of the Office of the Attorney General at 13-22 (May 17, 2024).

²⁵ *Id.*; Comments of Citizens' Utility Board at 12-14; Comments of Fresh Energy at 15-18.

²⁶ Xcel Supplement at 3-4 (Aug. 16, 2024).

²⁷ Initial Filing at 14 (Dec. 22, 2023) ("The proposed rate design relies on the same time periods that were tested during the Pilot.").

not line up with the forecasted system peak, defeating a central purpose of introducing a TOU rate.²⁸

To summarize: Xcel conducted a pilot of a TOU rate in which participants remained largely unaware of how to reduce their bills, failed to fully analyze the data from the pilot, and then proposed to enroll all of its customers in essentially the same rate, without verifying that the rate's 7-year-old design would still reduce peak demand. Commenters and the public highlighted the major flaws with Xcel's initial proposal. To its credit, Xcel responded by withdrawing the initial proposal and developing a new one altogether.

ANALYSIS

The new proposal marks a significant improvement over the initial proposal, but it will require consumer protections and future oversight to be successful. This analysis is divided into three sections. First is a description of the improved design elements of the new proposal. The second section will explain the ongoing need for bill protection, both to protect consumers and to increase consumer interest in the rate. The last section will describe the reporting requirements necessary to help the new rate achieve its intended purpose without negative customer impacts.

I. THE NEW TOU DESIGN IS A STEP IN THE RIGHT DIRECTION

Xcel's new proposal modifies, for the better, core aspects of the TOU rate. In particular, the OAG appreciates that Xcel shortened the on-peak period, significantly reduced the on-peak price and the price ratios, and reduced the seasonal variation. The OAG is also heartened that Xcel proposes to offer the rate on an opt-in basis.

²⁸ Additionally, Xcel had performed the 2017 forecast specifically for its TOU Pilot, rather than relying on the forecast from its 2016 IRP. Docket E-002/M-17-775, Initial Filing, Att. E. at 6-7 (Nov. 1, 2017). It is clear, therefore, that Xcel had the ability to verify that the peak period in its 2023 initial proposal lined up with projected peaks and simply failed to do so.

Xcel shortened its proposed on-peak window from five hours to three and moved the on-peak window later in the evening.²⁹ These changes should make the on-peak window more manageable for many customers, which in turn may improve peak reduction.³⁰ It also makes the TOU rate more attractive to customers, maximizing system impacts while preserving the consumer choice engendered by the opt-in regime.

The new prices Xcel proposes are more reasonable than in Xcel's initial proposal. Xcel's initial proposal had nearly the same price structure as the TOU Pilot rate design.³¹ The OAG believes the data shows that 41 percent of Pilot participants saw their annual electricity bill increase, with 4.79 percent of participants seeing an annual bill increase of \$50 or more.³² With the lower prices and price ratios of the new proposal, the OAG is hopeful that fewer TOU customers would be at risk of greatly increased electricity bills.

Xcel's new TOU price proposal also reduces the difference between summer and winter bills. The original proposal was estimated to result in almost a \$50 difference between summer and winter bills,³³ which could have resulted in an extreme hardship for households who live

²⁹ Xcel Supplement at 6 (Aug. 16, 2024).

³⁰ Ahmad Faruqui & Ziyi Tang, *Time Varying Rates (TVRs) Are Moving From the Periphery to the Mainstream of Electricity Pricing for Residential Customers in the United States*, HANDBOOK ON ELECTRICITY REGULATION (forthcoming) (manuscript at 15), <https://www.brattle.com/wp-content/uploads/2023/07/Time-Varying-Rates-TVrs-Are-Moving-from-the-Periphery-to-the-Mainstream-of-Electricity-Pricing-for-Residential-Customers-in-the-United-States.pdf>.

³¹ Initial Filing at 10 (Dec. 22, 2023) (“We modified the pilot rate design slightly[.]”)

³² See Xcel Response to OAG Information Request 013, Att. A, filed herewith as Schedule 1, which includes the original spreadsheet as an internal attachment. Xcel states in response to OAG IR 013, Question B, subpart 1 that “a positive bill impact represents an increase in bills.” However, a comparison of Attachment E of the Supplement and Attachment A of Xcel's Response to OAG IR 013 (included in Schedule 1) suggests that a negative bill impact represents an increase in bills. If, as Xcel states in its response to IR 013, a positive bill impact represents an increase in bills, then 59 percent of Pilot participants saw an annual increase and 8 percent saw an increase of \$50 or more.

³³ Initial Filing, Att. C (Dec. 22, 2023).

paycheck-to-paycheck. For these households, lower winter bills would not translate into savings that could be used on summer bills because any winter “savings” must be spent on other necessities, often necessities that have been postponed due to lack of income. Hardship could also arise for households with uneven cash flows, for example if a low-pay month happened to occur in the summer. While the new proposal still includes seasonal differentiation, the differentiation has been greatly reduced, which will make the opt-in TOU rate more accessible to these customers.

Finally, the OAG supports Xcel’s new proposal to offer an opt-in TOU rate instead of an opt-out rate. In its comments on Xcel’s initial proposal, the OAG urged that, if a new TOU rate was approved, it should be rolled out on an opt-in basis.³⁴ Although the initial TOU rate needed more data analysis and lacked sufficient customer protections, the OAG also views consumer choice as a valuable market mechanism and new rate offerings increase consumer choice. This all holds true for Xcel’s new proposal—there is no real-world data to support it and Xcel is against including consumer protections. At the same time, there may be some customers who strongly wish to switch to a TOU rate. With Xcel’s new proposal, there is the additional consideration that the only way to collect real-world data is for customers to test the new rate. An opt-in rate makes that possible while minimizing potential consumer harm.

Because of the consumer-friendly design elements in Xcel’s new proposal, the OAG is open to Xcel offering its new TOU rate, provided that it is on an opt-in basis, customers on the new rate receive bill protection, and Xcel commits to reporting data that allow the Commission and stakeholders to evaluate the rate on an ongoing basis.

³⁴ Comments of the Office of the Attorney General at 22-24 (May 17, 2024).

II. BILL PROTECTION IS A NECESSARY COMPONENT OF A TOU RATE BOTH TO PROTECT PARTICIPANTS AND TO ENCOURAGE PARTICIPATION.

Because the effects of Xcel's new proposal remain unknown, customers who opt into the new TOU rate must receive bill protection. Regardless of how savvy an opt-in customer may be, the fact remains that there is no real-world data on Xcel's new design, and a lack of bill protection assigns the risk of that lack of information to Xcel's customers. Opting into an untested TOU rate without bill protection could lead to bill delinquencies for some customers. Even for customers who can afford an unexpected bill increase, the shock at a significantly higher bill would make the rate less popular, reducing customer acceptance. By contrast, if ratepayers know that they can opt into the new TOU rate and will receive a grace period while they adapt to shifting their load, they will be more likely to try it out. Opt-in TOU rate designs lead to greater per-participant demand reduction than opt-out rate designs,³⁵ so bill protection can increase system benefits by making the new rate more attractive and less risky for customers to opt in.

The imperative to include bill protection for low-income customers is even clearer. Low-income customers are likely to be drawn to TOU rates by the promise of potential bill savings.³⁶ They are also more likely to be hurt by a sharp increase in their bills. Even a single month-to-month increase can result in low-income households being forced to decide which bills to pay and which to default on, potentially leading to a cascade of other destabilizing repercussions. Xcel

³⁵ Sanem Sergici et al., *Do Customers Respond to Time-Varying Rates: A Preview of Arcturus 3.0* at 11 (The Brattle Group, Working Paper, 2023), <https://www.brattle.com/wp-content/uploads/2023/02/Do-Customers-Respond-to-Time-Varying-Rates-A-Preview-of-Arcturus-3.0.pdf> ("Working paper" composed in slide deck format); Rocky Mountain Institute, *A Review of Alternative Rate Designs* 40 (2016), <https://rmi.org/wp-content/uploads/2017/04/A-Review-of-Alternative-Rate-Designs-2016.pdf>.

³⁶ See, e.g., Brendon Baatz, *Rate Design Matters* 30-32 (2017), <https://www.aceee.org/research-report/u1703>. Xcel reported that the average annual bill impact for low-income customers was a 3 percent reduction (Initial Filing at 6), although 11 percent of low-income customers saw an annual bill increase of 3 percent or more. See Schedule 1.

reports that 15 percent of low-income Pilot participants received bill protection, demonstrating the materiality of this concern.

Importantly, Xcel's New Proposal is not even entirely an opt-in rate. On the contrary, Xcel proposes to automatically move all current TOU customers³⁷ to its new TOU rate before it offers the rate to anyone else. These customers will be defaulted onto an entirely new rate regime with entirely new price signals, and it is unlikely that Xcel will be able to educate them sufficiently before the switch. Indeed, almost half of Pilot participants remained unable to identify basic TOU design features even after being on the TOU rate for two years.³⁸ As such, there is a risk that current TOU customers may only learn of the new TOU design after receiving a much higher bill.

Contrary to Xcel's assertion that bill protection was included in the Pilot simply to keep participants from dropping out, it was also intended as a consumer protection measure. Bill protection was included in the Pilot to "protect customers [from being] unreasonably harmed."³⁹ Xcel itself stated that bill protection was important "to maintain customer satisfaction and avoid major or unanticipated billing impacts[.]"⁴⁰ Bill protection will also serve to make the opt-in rate more appealing by allowing customers to adapt to load shifting without immediate risk, which could ultimately increase the rate's overall effectiveness.

The OAG proposes a new bill protection mechanism in response to the change from an opt-out TOU rate to an opt-in TOU rate. If, within the first 12 months of participation in the new TOU rate, a customer receives a monthly bill that exceeds their prior monthly bill (the Baseline Bill) by more than 10 percent, the excessive bill would be capped at a 10 percent increase over

³⁷ There is likely a significant number of current TOU customers, as participants in the Pilot were kept on the Pilot rate even after the Pilot ended. Initial Filing at 21 (Dec. 22, 2023).

³⁸ Initial Filing, Att. A at 47 (Dec. 22, 2023).

³⁹ Docket No. E-002/M-17-775, Comments of the Office of the Attorney General 16 (Feb. 5, 2018)

⁴⁰ Docket No. E-002/M-17-775, Initial Filing at 27 (Nov. 1, 2017).

their Baseline Bill. This would be accompanied by an on-bill notice that bill protection had been triggered, along with information about effective load shifting, energy efficiency, and choosing the best rate for a household. In addition, customers who receive bill protection would receive it again the following month if the following month's bill exceeds the Baseline Bill by more than 10 percent.

The reason for bill protection based on a month-over-month bill increase is that this mirrors the way customers experience bill increases. A month-over-month increase of 10 percent or more may cause immediate economic hardship or rate shock, and an immediate bill protection credit would protect against both. Accompanied by information about load shifting, energy efficiency, and available rates, this bill protection mechanism would also serve as a customer education tool.

The second bill protection credit, which would only apply if a customer received a second excessive bill for the month immediately following the first excessive bill, is necessary because customers do not know how high one month's bill is until partway through the next month. This means that a customer may not learn of the need to shift load, improve the energy efficiency of their home, or opt out of the TOU rate early enough to avoid a bill that would cause economic hardship or rate shock. Bill protection for a successive month is necessary to allow customers to learn about the actions they need to take to avoid a surprise bill.

The proposed bill protection mechanism would ensure that customers do not suffer from a surprise expense while participating in what is essentially an experimental new TOU rate. It would also allow customers to try the new TOU rate without taking on as much risk, which could lead to greater adoption and, ultimately, more peak reduction.

III. DATA COLLECTION AND ANALYSIS IS NECESSARY TO PROTECT PARTICIPANTS AND ENSURE THE RATE ACHIEVES PEAK REDUCTION.

Because the New Proposal lacks real-world data to understand its effects and effectiveness, the first customers to transition to the new TOU rate will effectively be participating in a pilot. This is especially true for current TOU customers who will be moved onto the new rate automatically. It will therefore be important to analyze the same data in the same fashion as the Pilot data was analyzed, both during the Pilot and after the first round of comments in this docket.

As discussed above, after the Pilot, Xcel failed to conduct important analyses, such as an analysis of the full range of bill impacts and bill protection that Pilot participants experienced. That information was only made available when Xcel filed its new proposal—it was not even divulged in response to the OAG’s information requests regarding the initial proposal.⁴¹ Furthermore, when Xcel filed its initial proposal, it did not conduct an analysis of whether its proposed TOU design lined up with its most recent data, or even, it seems, the modeling from its previous IRP; instead, the design was based on the same data that Xcel used to develop the Pilot rate in 2017. These failures suggest that a proper evaluation of the effects and effectiveness of the new proposal may only happen if the data is made available to the Commission and to stakeholders in compliance filings, followed by comment periods for stakeholder feedback.

To protect customers and provide for future improvements, Xcel should conduct rigorous analysis of customer usage and billing data, using the same customer segments as in the Pilot. Xcel should make at least two compliance filings to report the results to the Commission, the first coming 12 months after customers have begun using the new TOU rate, and another after 24 months. The compliance filings should include reporting on similar metrics required in the Commission’s original pilot order and additional metrics as follows:

⁴¹ Comments of the Office of the Attorney General, Atts. C, D, E (May 17, 2024).

- a. Participation metrics, including the number of customers who have opted into the new TOU rate and opted out of the new TOU rate, overall and by customer segment;
- b. Customer bill impacts for the full population and by customer segment, including minimum, maximum, and average bill increases, and charts showing the full distribution of bill impacts annually and by season, as included in Attachments D and E to the new proposal;
- c. The number of customers who received bill protection, overall and by customer segment, as well as the number of customers who opted out of the TOU rate after receiving bill protection;
- d. The number of customers on the TOU rate who have had their service disconnected;
- e. Minimum, maximum, and average household peak impact overall and by customer segment, annually and by season;
- f. System coincident peak impact of TOU customers annually and by season;
- g. Load shifting based on historical customer usage, overall and by customer segment, annually and by season;
- h. Customer experience, including satisfaction, preferences, attitudes, acceptance, and comprehension, including awareness of the specific on-peak, mid-peak, and off-peak periods;
- i. An explanation of how the reported peak reductions will factor into future resource planning and distribution system planning, including an estimate of costs avoided thanks to peak reductions.

Participation metrics will help stakeholders assess customer adoption of the new TOU rate.

Reporting on bill impacts – and particularly the full distribution of bill impacts – will give

stakeholders a full picture of the monetary impact of the rate on Xcel's customers, as will reporting on bill protection and disconnections. Reporting on peak, coincident peak, and load shifting will allow stakeholders to assess whether the rate is effective at reducing peak and how customers respond to the price signals. Reporting on customer experience will allow stakeholders to assess Xcel's customer education and engagement efforts. Finally, an explanation of how Xcel will incorporate peak reductions from the TOU rate into future resource planning and distribution system planning will help stakeholders and the public to understand the value of Xcel's new Advanced Metering Infrastructure in more concrete terms.

CONCLUSION

The OAG continues to believe that, with sufficient consumer protections, some form of opt-in TOU rate could prove beneficial to Minnesotans, and commends Xcel for implementing feedback it received on its initial proposal. In particular, the OAG approves of Xcel's changes to offer the rate on an opt-in basis, to shorten the peak period, to reduce the price ratios, and to reduce the seasonal differentiation. To protect current TOU customers and customers who opt into the new rate, the OAG recommends the following:

1. All customers on the new TOU rate should receive bill protection up to two times for the first 12 months of their participation in the new rate. If a customer receives a monthly bill that exceeds their prior monthly bill (Baseline Bill) by more than 10 percent, the bill should be capped at a 10 percent increase over the Baseline Bill and the customer should receive communications about effective load shifting, energy efficiency, and how to change their residential rate. If that customer's bill for the immediately following month also exceeds the Baseline Bill by more than 10 percent,

that successive bill should also be capped at a 10 percent increase over the Baseline Bill; and

2. Xcel should make a compliance filing 12 months after implementation of the new TOU rate and 24 months after implementation. Parties may request a comment period within 60 days of each compliance filing if it appears that changes need to be made to the rate design. The compliance filings should include the following information:
 - a. Participation metrics, including the number of customers who have opted into the new TOU rate and opted out of the new TOU rate, overall and by customer segment;
 - b. Customer bill impacts for the full population and by customer segment, including minimum, maximum, and average bill increases, and charts showing the full distribution of bill impacts annually and by season, as included in Attachments D and E to the new proposal;
 - c. The number of customers who received bill protection, overall and by customer segment, as well as the number of customers who opted out of the TOU rate after receiving bill protection;
 - d. The number of customers on the TOU rate who have had their service disconnected;
 - e. Minimum, maximum, and average household peak impact overall and by customer segment, annually and by season;
 - f. System coincident peak impact of TOU customers annually and by season;
 - g. Load shifting based on historical customer usage, overall and by customer segment, annually and by season;

- h. Customer experience, including satisfaction, preferences, attitudes, acceptance, and comprehension, including awareness of the specific on-peak, mid-peak, and off-peak periods; and
- i. An explanation of how the reported peak reductions will factor into future resource and distribution system planning, including an estimate of costs avoided thanks to peak reductions.

Dated: October 15, 2024

Respectfully submitted,

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