

The Commission met on **Thursday, August 13, 2015**, with Chair Heydinger, and Commissioners Lipschultz, Tuma, and Wergin present.

The following matters were taken up by the Commission:

ENERGY AGENDA

E-017/M-15-322

In the Matter of Otter Tail Power Company's 2014 Annual Safety, Reliability, and Service Quality Report

Commissioner Wergin moved to take the following actions:

1. Accept OTP's 2014 Annual Report.
2. Freeze the Company's reliability standards for 2015 at the level of the 2013 goals until OTP demonstrates further improvement in meeting its performance standards.

The motion passed 4 - 0.

E,G-999/CI-12-1344

In the Matter of a Commission Inquiry into Privacy Policies of Rate-Regulated Utilities

Commissioner Tuma moved to take the following action:

1. Acknowledge receipt of the filings. Take no further action.
2. Grant the Executive Secretary authority to review and approve Customer Notices consistent with the following guidelines:
 - A. Notices should state that only customer data that is needed to perform regulated business functions will be collected by the utility; the utility shall use the data only for the purpose for which it was collected, except that under some circumstances, with customer consent, the data may be shared for purposes other than which it was collected; customer consent may be revoked.
 - B. Notices should indicate what types of data are collected, how data is used, the policies in place for data protection, and that access to such data will be restricted to those employees who need it for an identified business purpose.

- C. Notices should inform customers that they may refuse to provide Social Security numbers to the utility, that service cannot be denied for such refusal, and that the utility shall delete a customer's Social Security number upon request. (However, in some instances the utility may require Social Security numbers for the purpose of reporting to state and federal tax agencies.
 - D. Customers may seek to correct or delete information that is incorrect or improperly collected or retained.
 - E. Customer data shall not be sold.
 - F. Affected customers shall be notified of significant data breaches.
 - G. Customer Notices should be issued following review and approval by Commission staff; and no later than 6 months thereafter;
 - H. Customer Notices should be placed on utility websites in a manner that customers may readily access them;
 - I. The option to receive hardcopies of Customer Notices should be made available to all new customers at the time they establish service and again at intervals of not more than three years; and
 - J. Customers must be notified of substantive changes to Customer Notices by post and/or electronic communication.
3. The findings and principles of the Commission's prior orders in Docket 90-1008 and 91-942 shall remain in place with respect to CenterPoint Energy with no need for revision.

The motion passed 4 - 0.

E-132/CG-15-255

In the Matter of a Request for Dispute Resolution with People's Energy Cooperative Under the Cogeneration and Small Power Production Statute, Minn. Stat. § 216B.164

Commissioner Lipschultz moved to take the following actions:

- 1. Find that the Commission has jurisdiction over this matter.
- 2. Resolve the dispute in favor of the Complainant and find that People's has failed to demonstrate that the fee it has imposed meets the criteria of Minn. Stat. § 216B.164.

3. Accept People's agreement to cease charging the monthly fees to Mr. Miller and all other qualifying facilities (QFs) and refund with interest all fees collected from Mr. Miller and all other QFs. Require People's to make a compliance filing within 60 days of this order that includes a new tariff with the fee removed and verification that refunds have been made, including a list of all QFs who have been charged the fees and the amount of the refund.
4. Find that as the prevailing party, Mr. Miller should be awarded any costs, disbursements, and reasonable attorney's fees related to pursuing this dispute. Direct Mr. Miller to make a filing with the Commission within 30 days of this order detailing any costs for which he seeks reimbursement.
5. Find People's in violation of Minn. R. 7835.0300 and .0400 for failing to file the proposed fee changes in 2014.
6. Direct staff to open a docket and request each investor-owned utility, cooperative, and municipal utility to indicate whether it applies a charge to net metered and other distributed-generation customers that is not applied to other customers, and if so, when it began assessing that charge and in which docket(s), if any, the charge was approved by the Commission. Staff may request other related information as it deems appropriate.

The motion passed 4 - 0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: October 14, 2015



Daniel P. Wolf, Executive Secretary