

The Commission met on **Thursday, February 12, 2015**, with Chair Heydinger and Commissioners Lange, Lipschultz, Tuma, and Wergin present.

The following matters came before the Commission:

TELECOMMUNICATIONS AGENDA

P-6939/NA-14-959

In the Matter of the Application of CenturyLink Public Communications, Inc. for a Certificate of Authority to Provide Facilities-based Competitive Local Exchange Service Limited to the Provision of Inmate Calling Services

Commissioner Lipschultz moved to do the following:

1. Grant conditional approval of the request of CenturyLink Public Communications, Inc. (CPCI) for a certificate of authority to provide local exchange and long distance service limited to the provision of inmate calling services conditioned upon CPCI filing the tariff revision noted below.
2. Approve the proposed tariff as filed on November 6, 2014, and revised on January 5, 2015, conditioned upon the following tariff revision: The tariff should be revised to reflect CPCI's customer complaint and dispute handling procedures and the availability of the Commission to assist in resolving disputes within 30 days of the order. CPCI has committed to do so.

The motion passed 5 – 0.

P-999/PR-14-15

In the Matter of Intercarrier Compensation Reform Required by FCC Order

Commissioner Wergin moved to do the following:

1. Find that the parties have fulfilled the requirements placed upon carriers to file revised intrastate access rates for 2014 as required by --
 - A. the Universal Service Fund-Intercarrier Compensation Report and Order and Further Notice of Proposed Rulemaking (released November 18, 2011) issued by the Federal Communications Commission in WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, and WT Docket No. 10-208, and
 - B. the Commission's May 7, 2014 Order in the current docket.

2. Close the docket.

The motion passed 5 – 0.

P-405/AR-14-735

In the Matter of a Petition by Frontier Communications of Minnesota, Inc. for Approval of its Revised Alternative Regulation (AFOR) Plan

Commissioner Lipschultz moved to do the following:

1. Approve the Revised Petition for Alternative Form of Regulation as filed as a settlement between Frontier Communications of Minnesota, Inc. (Frontier) and the Minnesota Department of Commerce (the Department) on January 8, 2015, with modifications.
2. Modify the Revised Petition, Section VI, Investment Plan filed as a settlement between Frontier and the Department on January 8, 2015, to incorporate changes to the Investment Plan as shown in the Supplemental Staff Briefing Papers.
3. Require Frontier within 14 days of the date of the order, if Frontier accepts these modifications, to file a revised AFOR Plan reflecting the modifications (a “clean copy”), along with a copy showing how the earlier text has been revised (a “redlined copy”).

The motion passed 5 – 0.

ENERGY AGENDA

E,G-002/D-15-46

In the Matter of the Petition of Northern States Power Company for Approval of the 2015 Review of Remaining Lives

Commissioner Lange moved to grant the request of Northern States Power Company d/b/a Xcel Energy (Xcel) for a three month extension of time to submit its 2015 Annual Review of Remaining Lives petition.

The motion passed 5 – 0.

E-017/M-14-375

In the Matter of Otter Tail Power’s Petition for Approval of a Transmission Cost Recovery Rider under Minn. Stat. § 216B.16, subd. 7b

Commissioner Wergin moved to do the following:

1. Allow Otter Tail Power Company (Otter Tail Power) to recover its approved transmission costs, effective March 1, 2015, over the proposed recovery period of March 1, 2015 to December 31, 2015.
2. Approve Otter Tail Power's request to include as a true-up item in its 2015 rider petition its actual amount of Auction Revenue Rights (ARRs) that it receives for its multi-value projects (MVPs), with the understanding that Otter Tail Power will incorporate estimates of all MVP ARRs in future transmission cost recovery (TCR) riders beginning with its 2015 TCR rider.
3. Require Otter Tail Power to make a compliance filing with revised tariff language within 15 days of the Commission's order.

The motion passed 5 – 0.

E-002/M-14-162

In the Matter of Xcel's Petition for Approval of a Portfolio of Solar Projects to Meet Initial Solar Energy Standard

Commissioner Lipschultz moved to do the following:


1. Approve the Marshall Solar proposal as a cost-effective, reasonable, and prudent approach for Northern States Power Company d/b/a Xcel Energy (Xcel) to meet its eligible energy technology obligations under the Renewable Energy Standards, Minn. Stat. § 216B.1691. Require Xcel to file the executed contract within 30 days of the written order in this docket.
2. Approve the MN Solar 1 proposal as a cost-effective, reasonable, and prudent approach for Xcel to meet its eligible energy technology obligations under the Renewable Energy Standards, Minn. Stat. § 216B.1691. Require Xcel to file the executed contract within 30 days of the written order in this docket.
3. Approve the North Star Solar proposal as a cost-effective, reasonable, and prudent approach for Xcel to meet its eligible energy technology obligations under the Renewable Energy Standards, Minn. Stat. § 216B.1691. Require Xcel to file the executed contract within 30 days of the written order in this docket.
4. Clarify that approval of the power purchase agreements (PPAs) does not relieve the project developers' of their obligation to obtain necessary permits, approvals, or other required authorizations from either the Commission or other governmental units. Large Electric Generating Plants (facilities greater than 50 megawatts) must obtain a Site Permit from the Commission pursuant to Minnesota Statutes chapter 216E.
5. Require that a transfer of any of the PPAs to a third party that causes a material change to the terms and conditions of the existing agreement, or a purchase of any of the three facilities by Xcel, must first be approved by the Commission.

6. Find that, upon exercising its Right of First Offer option with any of the three PPAs, Xcel must file with the Commission its plan for recovery of the costs of purchasing the facility.
7. Modify the PPAs as outlined in Appendix D to clarify that the Condition Precedent regarding State Regulatory Agency Cost Recovery is not intended to apply to costs allocated to South Dakota, Wisconsin, and Michigan.
8. Allow the solar energy purchased under the approved PPAs to be counted toward Xcel's Solar Energy Standard requirements.
9. Allow Xcel to recover the costs of the approved PPAs via the Fuel Clause Rider consistent with past practice regarding jurisdictional allocation of costs.
10. Find that the projects are exempt, under Minn. Stat. § 216B.243, subd. 9, from the requirement to obtain a certificate of need.

The motion passed 5 – 0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: April 8, 2015



Daniel P. Wolf, Executive Secretary