

January 23, 2026

Sasha Bergman
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
Docket No. E017/M-23-380

Dear Ms. Bergman:

On January 21, 2026, the Commission issued its Briefing Papers pertaining to Otter Tail Power's Petition for Approval of Proposed Electric Vehicle Credit Rider (EVCR), related rate schedule and ECO cost recovery in the following docket:

In the Matter of Otter Tail Power Company's 2023 Integrated Distribution Plan.

After reviewing the briefing papers, the Department wishes to clarify one of its positions. Decision option six states:

Authorize Otter Tail to seek recovery of future prudent costs of the EV credit program through the Company's ECO Program and the associated ECO rider. (Otter Tail, Department).

Throughout the comment process, the Department conducted a preliminary review of Otter Tail's EVCR Petition for suitability for ECO review. The Department concluded that this type of program can be reviewed for inclusion in ECO, however, there are statutory and technical requirements for ECO modification filings that have not been met in the present record. The Department states in initial comments regarding cost recovery in ECO:

Assuming the Company meets all of the necessary statutory requirements necessary for introducing a new program into its ECO portfolio, the Department does not have any concerns with the Company's proposal to implement EVCR and recover costs through ECO [emphasis added].¹

¹ *In the Matter of Otter Tail Power Company's 2023 Integrated Distribution Plan*, Department Initial Comments, November 18, 2025, Docket No. E017/M-23-380, (eDockets) [202511-225017-01](#), at 7.

If and when the Company files for modification of its ECO triennial plan,² the Department will complete a comprehensive review for compliance with the requirements of Minn. Stat. §216B.241,³ the Department’s technical requirements, and cost-effectiveness. It would be premature to indicate in the present docket what—if any—costs will be recovered in ECO until the Department has reviewed the Company’s ECO modification filing. Furthermore, the Commission does not need to authorize the Company to file for ECO modification. The Company, at any time, may independently initiate a modification to its ECO triennial plan under Minn. R. 7690.1400.⁴

Accordingly, the Department opposes decision option six. The Department is available to answer any questions the Commission may have.

Sincerely,

/s/ Sydnie Lieb, Ph.D.
Assistant Commissioner, Office of Regulatory Analysis

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² *In the Matter of Otter Tail Power Company’s 2023 Integrated Distribution Plan*, Petition, Otter Tail Power, October 3, 2025, Docket No. E017/M-23-380, (eDockets) [202510-223593-01](#), at 7. The Company states: “Following the approval of this petition, the Company will make an ECO Modification filing to request the [EVCR] be added to the Load Management Portfolio. Within the ECO Modification, the Company will submit a proposed budget to administer the program and a cost effectiveness evaluation.”

³ [Minn. Stat. § 216B.241](#).

⁴ [Minn. R. 7690.1400](#).

CERTIFICATE OF SERVICE

I, Nicole Westling, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Letter**

Docket No. E017/M-23-380

Dated this **23rd** day of **January 2026**

/s/Nicole Westling

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86	Generic Notice	Regulatory	regulatory_filing_coordinators@otpc.com	Otter Tail Power Company		215 S. Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No	23-380Official 23-380
87	John C.	Reinhardt		Laura A. Reinhardt		3552 26th Ave S Minneapolis MN, 55406 United States	Paper Service		No	23-380Official 23-380
88	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	23-380Official 23-380
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108	Stuart	Tommerdahl	stommerdahl@otpc.com	Otter Tail Power Company		215 S Cascade St PO Box 496 Fergus Falls MN, 56537 United States	Electronic Service		Yes	23-380Official 23-380
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112	Roger	Warehime	roger.warehime@owatonnautilities.com	Owatonna Municipal Public Utilities - Gas		208 S Walnut Ave PO BOX 800 Owatonna MN, 55060 United States	Electronic Service		No	23-380Official 23-380
113	Jenna	Warmuth	jwarmuth@mnpower.com	Minnesota Power		30 W Superior St Duluth MN, 55802-2093 United States	Electronic Service		No	23-380Official 23-380
114	Robyn	Woeste	robynwoeste@alliantenergy.com	Interstate Power and Light Company		200 First St SE Cedar Rapids IA, 52401 United States	Electronic Service		No	23-380Official 23-380
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116	Kurt	Zimmerman	kwz@ibew160.org	Local Union #160, IBEW		2909 Anthony Ln St Anthony Village MN, 55418-3238 United States	Electronic Service		No	23-380Official 23-380