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September 6, 2018

—Via Electronic Filing—

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: ANSWER TO PETITION FOR RECONSIDERATION
RESIDENTIAL TIME OF USE RATE DESIGN PILOT
DOCKET NO. E002/M-17-775

Dear Mr. Wolf:

Northern States Power Company, doing business as Xcel Energy, respectfully responds to the Office of the Attorney General – Residential Utilities and Antitrust Division’s (OAG) Petition for Reconsideration submitted on August 27, 2018 in this proceeding. The OAG does not raise any new facts or issues, and it does not cite any errors or ambiguities. It instead returns to arguments the Commission has carefully considered and rejected. We request the Commission deny the Petition.

Minnesota Rule 7829.3000 lays out the process for filing a petition for reconsideration. The Commission has stated that it will reconsider an order when (1) new issues it has not yet considered are raised; (2) new facts not yet in evidence are presented for consideration; (3) there are errors or ambiguities in the Commission's order; or (4) the Commission is otherwise persuaded to reconsider an order.¹ We do not believe that the OAG’s Petition meets the standard.

The OAG’s Petition for Reconsideration included much of the same discussion of bill protections for low income customers as was included in initial Comments and have already been considered by the Commission. The Petition did not raise any new issues that support extending the enhanced bill protections to self-identified

¹ *In the Matter of Detailing Criteria and Standards for Measuring an Electric Utility’s Good Faith Efforts in Meeting the Renewable Energy Objectives Under Minn. Stat. § 216B.1691*, ORDER AFTER RECONSIDERATION at 9, Docket No. E999/CI-03-869 (Aug. 13, 2004).

low income customers, and the OAG did not claim that there were any errors or ambiguities in the Order.

As already resolved in this proceeding, the Pilot will provide enhanced bill protections to LIHEAP recipients and standard bill protections to all other participants. The long-running LIHEAP program includes a low-cost, independent verification process that efficiently confirms eligibility for financial assistance, federal weatherization, and other company-managed low-income programs. It would be inconsistent with Company programs and irregular with respect to customer expectations to provide benefits based on customer self-certification of income status. Further, self-identification of income status would likely not be viable for a wider roll-out TOU rate program. For the purposes of learning how low income customers respond to and are impacted by the TOU Pilot rates and design, a key stakeholder goal discussed at length in this proceeding, it is imperative to operate it with the same eligibility process as we would use for a fully implemented program.

To mitigate the OAG's concern that a large number of potentially LIHEAP-eligible customers will miss out on enhanced bill protections, the Company agreed during the stakeholder process to identify potentially LIHEAP-eligible customers through a Pre-Pilot survey. For those customers who state they meet the criteria but have not been verified by LIHEAP, the Company will direct them to the program for verification and enrollment. Further, the Company also agreed to compare the results of self-identified low income customers to other study populations.

As further resolved in this proceeding, customers are amply protected through careful pilot design. Overall customer bill impacts from the TOU rates are anticipated to be low based on the approved rate design. All customers retain the ability to opt-out of the Pilot at any time, and all customers receive bill protection under the approved terms of the pilot. As the Petition does not meet the standard of review for rehearing, we ask that the Commission deny the Petition.

By operation of law the Commission's Order is not effective while an application for rehearing is pending.² Therefore, the Company's compliance filing required by Order Point 8 of the Commission's August 7, 2018 Order is not yet required. The Company will comply with this Order Point if the application for rehearing is denied.

² Minn. Stat. § 216b.27, Subdivision 3.

Pursuant to Minn. Stat. § 216.17, subd. 3, we have electronically filed this document, and served copies on all parties on the attached service lists. If you have any questions about this filing, please contact Amber Hedlund at (612) 337-2268 or amber.r.hedlund@xcelenergy.com me at (612) 330-5941 or holly.r.hinman@xcelenergy.com.

Sincerely,

/s/

HOLLY HINMAN
REGULATORY MANAGER

c: Service List

CERTIFICATE OF SERVICE

I, Jim Erickson, hereby certify that I have this day served copies of the foregoing document on the attached list of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis, Minnesota

xx electronic filing

Docket No. E002/M-17-775

Dated this 6th day of September 2018

/s/

Jim Erickson
Regulatory Administrator

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