

March 8, 2019

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

RE: Northern States Power Company d/b/a Xcel Energy's Refund Plan for Ninth DOE Settlement Payment
Docket Nos. E002/M-15-1089 and E002/M-17-828

Dear Mr. Wolf:

On November 21, 2018, Northern States Power Company d/b/a Xcel Energy (Xcel or the Company) filed a *Notice of Receipt of Ninth Department of Energy (DOE) Settlement Payment* in compliance with the Minnesota Public Utilities Commission's (Commission) June 3, 2016 and January 26, 2017 Orders in Docket No. E002/M-15-1089 (November 21, 2018 Compliance Filing). This November 21, 2018 Compliance Filing provided notice of the \$15.412 million total Company (\$11.353 million Minnesota Jurisdiction) DOE settlement refund and included in Attachment B, the estimated refund by customer class.

On January 7, 2019, the Commission issued its *Order Approving Decommissioning Study, Decommission Accrual, and Taking Other Action*. Ordering Point 12 stated:

Xcel shall refund the 2017 Department of Energy settlement funds [ninth DOE settlement payment] to ratepayers, and promptly make a compliance filing notifying the Commission that the DOE refunds have been issued.

On March 1, 2019, Northern States Power Company d/b/a Xcel Energy (Xcel or the Company) submitted its *Refund Plan for the Ninth DOE Settlement Payment* (March 1, 2019 Filing). The Minnesota Department of Commerce, Division of Energy Resources (Department) expected that the March 1, 2019 Filing would be the compliance filing notifying the Commission and parties that the ninth DOE refund had been issued or would soon be issued. Instead, Xcel's March 1, 2019 Filing indicates that the earliest time that Xcel can implement the DOE refund is the **first quarter of 2020**. Xcel claims that their billing system can only process one refund at a time, and the Company will first process the Tax Cuts and Jobs Act (TCJA) refund. Xcel also notes that they expect the tenth DOE settlement payment in late 2019 and would be able to combine the ninth and tenth DOE payments into a single customer credit in 2020.

The Department does not consider Xcel's proposal to defer the ninth DOE refund until the first quarter of 2020 to be reasonable. First, Xcel had most of the information it needed to process the refund (see the Company's November 21, 2018 compliance filing), and could have begun processing the refund as soon as the Commission's Order was issued on January 7, 2019. Second, delaying the refund until the first quarter of 2020 is not consistent with the Commission's January 7, 2019 Order, which noted:

In addressing this issue [use of the DOE settlement proceeds], the Commission found guidance in the testimony offered by Xcel in its recent multi-year rate case, a position which differs from what the Company has proposed in this docket. In her direct testimony in the Company's multi-year rate case, Xcel witness Lisa H. Perkett was asked how Xcel proposed to handle the use of the settlement payments received from the DOE. In response, witness Perkett stated that the Company proposes that **settlement payments received from the DOE related to spent nuclear fuel storage costs be refunded to ratepayers at the time the amount is known.** ...

The Commission finds that the Company's approach as stated in the multi-year rate case is preferable to that recommended in this docket. [Emphasis added and footnotes omitted.]

The Department requests that Xcel fully explain why its billing system is unable to process more than one refund at a time, and what changes could be made (including a timeline) to create that capability.

The Department notes that the 2018 TCJA refund for Xcel Electric is expected to occur in May 2019 and the 2019 TCJA refund is expected to occur in October 2019,¹ as a result, the Department recommends that a refund of the ninth DOE settlement payment be required by no later than July 31, 2019.

Sincerely,

/s/ NANCY CAMPBELL
Analyst Coordinator

NC/jl

¹ See Xcel February 14, 2019 Reply Comments regarding the Federal Tax Act in Docket E,G999/CI-17-895 – Xcel's Tables 1 and 2.

CERTIFICATE OF SERVICE

I, Sharon Ferguson, 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
Comments**

Docket No. E002/M-15-1089 and E002/M-17-828

Dated this 8th day of March 2019

/s/Sharon Ferguson

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