

## **Addendum to Volume I of Staff Briefing Papers**

To: Commissioners  
Will Seuffert, Executive Secretary  
Ryan Barlow, General Counsel

From: Bob Harding

Re: Great Plains Natural Gas Co.  
2019 General Rate Case  
Docket No. G-004/GR-19-511

### **Statement of the Issue**

Should the deadline for the Commission's final determination be extended past August 26, 2020?

### **Background**

In its November 22, 2019 NOTICE AND ORDER FOR HEARING, the Commission asked the Office of Administrative Hearings to conduct contested case proceedings and requested the ALJ submit her final report on or before May 26, 2020.

In its November 22, 2019 ORDER ACCEPTING FILING, SUSPENDING RATES, AND EXTENDING TIMELINE, the Commission extended the deadline for issuing its final determination by 30 days, until August 26, 2020. In its explanation for this decision, the Commission stated that

Under Minn. Stat. § 216B.16, subd. 2(f), the Commission may extend the suspension period up to 90 additional calendar days “[i]f the Commission finds that it has insufficient time during the suspension period to make a final determination of a case involving changes in general rates because of the need to make a final determination of any pending case involving changes in general rates...” The Commission finds that, due to the need to make final determinations in other pending rate cases, it has insufficient time to make a final determination in this case during the suspension period, and will extend the suspension period for an additional 30 calendar days, through August 26, 2020.

During the ALJ's prehearing scheduling conference, the ALJ requested additional time to prepare her report (i.e. until June 30 rather than May 26). The parties agreed, adjusted their schedules accordingly, and the Company waived its right to a Commission order by August 26. In her SECOND PREHEARING ORDER AND ORDER GRANTING PETITION TO INTERVENE, the ALJ stated that

At the Prehearing Conference, Applicant agreed, pursuant to Minn. Stat. § 216B.16, subd. 2(f) (2018), to further extend the Commission’s final decision deadline, to September 18, 2020.

**Staff Comment**

Because the Commission’s November 22, 2019 ORDER ACCEPTING FILING, SUSPENDING RATES, AND EXTENDING TIMELINE still has August 26, 2020 as the date the Commission has said it would issue its final determination, staff believes the Commission should vote to extend the deadline out to September 18, 2020 as agreed to by the parties.

The Commission may also want to consider extending the deadline for the ninety day maximum allowed under statute given the other pending rate cases that have taken up time this year and are still pending, for example, Dakota Electric, compliance filing pending, MP, interim rate plan pending, CenterPoint Energy, evidentiary hearings in September.

The following table compares the two alternative deadlines to the current deadlines.

Case Filed	Friday, September 27, 2019
10 months deadline for final determination	Monday, July 27, 2020
Initial 30 day extension	Wednesday, August 26, 2020
ALJ 53 day extension (inclusive of initial 30 days)	Friday, September 18, 2020
Maximum allowable 90 day extension (falls on a Sunday)	Sunday, October 25, 2020
Statutory deadlines that fall on a weekend can be met on first business day following the deadline	Monday, October 26, 2020

**Decision Alternatives**

906. Extend the suspension period under Minn. Stat. § 216B.16, subd. 2(f), to allow an additional 23 days, until September 18, 2020, to make a final determination in this case.

907. Extend the suspension period under Minn. Stat. § 216B.16, subd. 2(f), to allow an additional 60 days, until October 26, 2020, to make a final determination in this case.