



June 27, 2025

Will Seuffert, Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
Saint Paul, MN 55101-2147

***Subject: Dakota Electric Association Comments in Response to  
February 28, 2025 Notice of Comment Period***

***In the Matter of Cold Weather Reports (CWR)—Regulated Gas and Electric  
Companies  
Docket No. E,G999/PR-25-2***

Dear Mr. Seuffert:

Dakota Electric Association (Dakota Electric or Cooperative) respectfully submits these comments in response to the Minnesota Public Utilities Commission's (Commission) February 28, 2025 Notice of Comment Period (February 2025 Notice) in the above referenced docket. Dakota Electric acknowledges that these comments are filed after the close of the comment period, and we respectfully request that the Commission accept these comments for consideration in their decision.

## **I. Background**

On January 31, 2025, the Legal Services Advocacy Project (LSAP) and the Citizens Utility Board of Minnesota (CUB) filed a Joint Letter requesting information from regulated utilities in response to the Commission's October 29, 2024 Notice in the 2024 Cold Weather Rule (CWR) Reports docket.<sup>1</sup> LSAP and CUB made the following

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<sup>1</sup> Docket No. E,G999/PR-24-2.

recommendations to the Commission (which were reproduced in Appendix A of the Commission's February 2025 Notice):

1. Require regulated utilities to submit a compliance filing in the instant docket detailing their current policies and practices on disconnections, service deposits, and payment agreements. Require regulated utilities to submit additional filings in Docket No. E,G999/PR-YR-02 whenever there are changes to their disconnection, service deposit, and payment agreement policies and practices. For those companies requiring down payments or service deposits, these reports must include an explanation of how those amounts are determined.
2. Require regulated utilities to display their disconnection, service deposit, and payment agreement policies and practices on their respective websites, and explain those procedures in clear, easy-to-understand language.
3. Require regulated utilities to post the following language on their respective websites in a conspicuous place:
  - a. Under Minnesota law, [UTILITY NAME] customers are entitled to a payment agreement for the payment of overdue bills. This payment agreement must consider a customer's financial circumstances and any extenuating circumstances of the household.
  - b. If the payment agreement terms offered are not affordable to you, or if your household is facing financial or extenuating circumstances, you should contact a(n) [UTILITY NAME] customer account representative at [PHONE NUMBER and/or EMAIL ADDRESS].
  - c. If you are unable to reach a mutually agreeable arrangement with a customer account representative, you may appeal the decision with the Minnesota Public Utilities Commission's Consumer Affairs Office. The

Consumer Affairs Office can be contacted at 651-296-0406  
or 800-657-3782, or by email at  
[consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us).

4. Require regulated utilities to detail in their next annual safety, reliability and service quality reports the average down-payment amount received from customers—both as a percentage of arrears and as a total dollar value—during CWR and non-CWR months. Regulated utilities must also explain how they have implemented the statutorily required consideration of both financial and extenuating circumstances for payment agreements during CWR and non-CWR months.
5. Require regulated utilities to provide a discussion in their next safety, reliability, and service quality reports about how they manage disconnections due to a landlord's failure to pay, consistent with the requirements of Minn. R. 7820.1400.
6. Require regulated utilities to include in their next annual affordability program reports a description of their current outreach activities to low-income customers about free and low-cost ECO programs. Require utilities to propose methods for improving ECO outreach to affordability program participants.

In its February 2025 Notice, the Commission noted that the following issues were open for discussion:

1. Should the Commission take any action on the residential customer status data reporting in Docket No. E,G999/PR-25-2, including service disconnections, payment arrangements, and various customer protections and assistance?
2. Should utilities be required to develop disconnection and payment arrangement policies and make them public? Once the

policies are developed, should there be any other modifications made to them?

The Commission also requested discussion on the following topics from utilities:

- Per Appendix A, Request #1, would your utility submit a compliance filing in the instant docket detailing its current policies and practices on disconnections, service deposits, and payment agreements?
- Per Appendix A, Request #2, would your utility display its disconnection, service deposit, and payment agreement policies and practices on your website, and explain those procedures in clear, easy-to-understand language?
- Per Appendix A, Request #3, would your utility post the mock language from CUB and LSAP on its website?
- As CUB and LSAP have only recommended the actions listed in Appendix A, and these actions have not been Ordered by the Commission, if your utility would not voluntarily comply with the Requests 1-3, please discuss why doing so is unfeasible or inappropriate.

The Commission also requested discussion on the following topics from all parties:

- Considering the data filed in Docket No. E, G-999/PR-25-2, should any trends in the data be highlighted for the Commission?
- What action, if any, should the Commission require utilities to take to continue exemplary performance or remedy unsatisfactory performance?
- What does an analysis of the data reported in this docket reveal about equitable delivery of utility service?
- How do utilities currently communicate information on disconnection and payment arrangement policies to non-English language speakers, especially to people that do not read their native language?

- Considering Staff's information request (IR) for Xcel filed on December 20, 2024 in Docket No. E, G-999/PR-24-2 and Xcel's IR responses on February 7, 2025, are the utilities following the CWR appeal process in Minn. Stat. 216B.096, Subd. 8?
- Are utilities' heat-affected customers, particularly for customers with electricity service necessary to operate gas heating equipment, being provided with appropriate protections during CWR season (October 1-April 30), including site visits before any disconnections for non-payment? How are utilities ensuring that its records of heat-affected customers are accurate?

The following parties have filed comments or reply comments in response to the Commission's February 2025 Notice:

- Xcel Energy;
- Minnesota Energy Resources Corporation;
- Otter Tail Power Company;
- Minnesota Department of Commerce, Division of Energy Resources (Department);
- CUB and LSAP;
- Minnesota Power;
- Office of the Attorney General; and
- CenterPoint Energy.

The Cooperative responds to the various Commission requests separately below and to comments of other parties where appropriate.

## **II. Dakota Electric Comments**

*Should the Commission take any action on the residential customer status data reporting in Docket No. E,G999/PR-25-2, including service disconnections, payment arrangements, and various customer protections and assistance?*

Dakota Electric does not believe that specific action on these data reporting metrics is necessary at this time. As part of the transition out of the peacetime COVID emergency, utilities and interested parties spent significant time in Docket No. E,G999/CI-20-375 developing the residential customer status data reporting metrics. There have been approximately three years since the residential data metrics were updated. It is unclear if sufficient time has passed to determine whether trends in these data exist that require adjustments to reporting metrics. The Cooperative will continue to monitor these data in the future.

*Should utilities be required to develop disconnection and payment arrangement policies and make them public? Once the policies are developed, should there be any other modifications made to them?*

Dakota Electric's disconnection and payment arrangement policies are detailed in our Commission approved tariff at Section VI, Sheets 12.1, 13, 13.1, 14.0-14.5, and 15.<sup>2</sup> Related to this topic, the Cooperative notes that as part of the Settlement Agreement filed in Dakota Electric's pending general rate case, Dakota Electric agreed to work with interested parties on modifications to parts of our disconnection and reconnection policy.<sup>3</sup> In addition, Dakota Electric is in the process of making adjustments to its website and the presentation of our tariff that we believe will improve member access to this information. Potential changes from the rate case settlement notwithstanding,

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<sup>2</sup> DEA Attachment 1.

<sup>3</sup> June 6, 2026 Settlement at Pages 20-21 in Docket No. E111/GR-24-400 which is relevant part:

For purposes of settlement, the Parties agree that Dakota Electric's proposed modification to its reconnection fee should be approved. The Parties further agree Dakota Electric will work with interested parties to develop modifications to its current policy requiring Residential members to pay a deposit in addition to the reconnection fee before reconnecting a member who has been disconnected for nonpayment. The Parties further agree that Dakota Electric will implement changes as soon as practicable including, if necessary, making a filing for approval with the Commission by February 26, 2026 to allow for Commission review and approval by May 1, 2026.

the Cooperative does not believe other modifications to these policies are warranted at this time.

*Per Appendix A, Request #1, would your utility submit a compliance filing in the instant docket detailing its current policies and practices on disconnections, service deposits, and payment agreements?*

As noted above, these policies are detailed in our Commission approved tariff; however, the Cooperative would submit a compliance filing in this docket detailing our policies and practices if ordered by the Commission.

*Per Appendix A, Request #2, would your utility display its disconnection, service deposit, and payment agreement policies and practices on your website, and explain those procedures in clear, easy-to-understand language?*

If ordered by the Commission, Dakota Electric would display this information on our website in easy-to-understand language.

*Per Appendix A, Request #3, would your utility post the mock language from CUB and LSAP on its website?*

Dakota Electric would be able to post this proposed language on our website if required by the Commission. The Cooperative notes that we encourage our members to contact us whenever they have concerns about paying their bill, even if they are not late on their bill or at risk of disconnection.

*As CUB and LSAP have only recommended the actions listed in Appendix A, and these actions have not been Ordered by the Commission, if your utility would not voluntarily comply with the Requests 1-3, please discuss why doing so is unfeasible or inappropriate.*

Dakota Electric does not believe that the information/actions recommended by CUB and LSAP are either unfeasible or inappropriate. The Cooperative is considering these actions as we begin a broader review of our disconnection/reconnection policies and work with interested parties to develop modifications in accordance with the terms of the rate case settlement as noted above. Although Dakota Electric may voluntarily make these adjustments, the Cooperative believes that, since this was raised in this docket, a formal Commission Order is appropriate to ensure ongoing future compliance.

*Considering the data filed in Docket No. E, G-999/PR-25-2, should any trends in the data be highlighted for the Commission?*

The information in the table shows historical disconnection for non-payment since 2016.

Year	Disconnections
2016	1,060
2017	986
2018	812
2019	890
2020	80
2021	690
2022	1,860
2023	2,077
2024	2,247

The Cooperative did not identify any trends that require the attention of the Commission at this time. Although the information above suggests that there is a trend toward more disconnections by Dakota Electric, it is important to note, as discussed in our December 6, 2023 Comments in Docket No. E,G999/CI-20-375, that the apparent increase in disconnections may be due in part to operational developments associated with our transition to AGi meters. These meters allow Dakota Electric to disconnect service for safety or nonpayment without physically removing the meter. This is a much less time and resource intensive process and has also resulted in reduced member fees. Dakota Electric does not view the increase in the number of disconnections as a negative

trend but rather a function of system changes. We will continue to monitor these data in the coming years.

*What action, if any, should the Commission require utilities to take to continue exemplary performance or remedy unsatisfactory performance?*

Dakota Electric does not believe that specific measures or actions are necessary at this time. To the extent that the Commission maintains its current approach to reviewing these data and information in relevant service quality dockets, the Cooperative believes that sufficient guidance and regulatory certainty exists for utilities to sustain current performance levels or make necessary changes to remedy concerns.<sup>4</sup>

*What does an analysis of the data reported in this docket reveal about equitable delivery of utility service?*

As noted in the Minnesota Department of Commerce's (Department) May 14, 2025 comments, the only analysis regarding equitable delivery of utility service in this record is related to Xcel Energy.<sup>5</sup> As a member owned cooperative, Dakota Electric has a duty to maintain member equity, and we have been monitoring CELI (Customers Experiencing Lengthy Interruptions) and CEMI (Customers Experiencing Multiple Interruptions) data in our annual SRSQ for several years. The Cooperative reviewed the equity analyses in the 2021 Xcel Energy general rate case and in Xcel Energy's 2023 SRSQ Report. First, Dakota Electric found significant value in the findings in these analyses and is contemplating ways internally that we can further refine and improve our member engagement. Second, Dakota Electric's service territory is relatively small so the methodology, or similar methodologies, used in the equity analysis may represent a data collection issue if the Commission were to require Dakota Electric to conduct a similar analysis. Third,

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<sup>4</sup> Dakota Electric notes that its annual Safety Reliability and Service Quality (SRSQ) report is provided to the Commission on an informational basis. Dakota Electric's Board of Directors approves the Cooperative's annual service quality metrics and goals.

<sup>5</sup> Department Comments, Pages 7-8.

the type of analysis conducted for Xcel Energy is likely a significant undertaking, both from a data and resource perspective, and it is unclear whether it is necessary at this time. The Cooperative takes the equitable delivery of utility service seriously, and we are not aware of member issues related to this topic at this time.

*How do utilities currently communicate information on disconnection and payment arrangement policies to non-English language speakers, especially to people that do not read their native language?*

Dakota Electric communicates disconnection and payment arrangement policies to non-English speakers in several ways. Our website can be translated into Hmong, Somali (Afsoomaali), and Spanish to help members access important information. For those who prefer to speak with someone, we have Spanish-speaking Member Service Representatives available by phone. For members who speak other languages — or who may not read in their native language — we offer a third-party phone translation service so they can speak with our member services representatives in the language they are most comfortable with.

*Considering Staff's information request (IR) for Xcel filed on December 20, 2024 in Docket No. E, G-999/PR-24-22 and Xcel's IR responses on February 7, 2025, 3 are the utilities following the CWR appeal process in Minn. Stat. 216B.096, Subd. 8?*

Dakota Electric is following the CWR appeal process in Minn. Stat. 216B.096, Subd. 8. This appeal process is also memorialized in our tariff at Section VI, Sheets 14.0-14.5. Our member service representatives are fully trained in this process and are prepared to address this with a member if it becomes necessary. CWR appeals are exceedingly rare at Dakota Electric, and we do not disconnect a member who has a pending appeal.

*Are utilities' heat-affected customers, particularly for customers with electricity service necessary to operate gas heating equipment, being provided with appropriate protections during CWR season (October 1-April*

*30), including site visits before any disconnections for non-payment? How are utilities ensuring that its records of heat-affected customers are accurate?*

Dakota Electric has a very small number of non-heat affected members. These members are associated with older apartment complexes, and we are aware of these accounts and they are flagged in our billing system. All other members on our system are heat-affected. The Cooperative does not disconnect heat affected accounts during the CWR period.

*Require regulated utilities to detail in their next annual safety, reliability and service quality reports the average down-payment amount received from customers—both as a percentage of arrears and as a total dollar value—during CWR and non-CWR months. Regulated utilities must also explain how they have implemented the statutorily required consideration of both financial and extenuating circumstances for payment agreements during CWR and non-CWR months.*

The Cooperative notes that as a cooperative electric association, we provide our annual SRSQ report for informational purposes, and we are exempted from the reliability reporting requirements in Minnesota Rules 7826. We are required, as consistent as possible, to adopt service standards in Minnesota Statute 216.029; however, it is unclear how down payment and arrearage data fit into these requirements. The Cooperative believes these data, or similar data, are already provided in the CWR reports; as such, it may be appropriate to continue providing these data in the CWR docket.

Dakota Electric offers payment arrangements to any member if they request one prior to disconnection. The payment arrangement is typically based on a negotiation between the Cooperative and the member to reach an amount that is reasonable and affordable for the member.

*Require regulated utilities to provide a discussion in their next safety, reliability, and service quality reports about how they manage disconnections due to a landlord's failure to pay, consistent with the requirements of Minn. R. 7820.1400.*

The Cooperative notes that as a cooperative electric association we provide our annual SRSQ report for informational purposes. If a landlord fails to pay, and we are aware there is a landlord-tenant arrangement, Dakota Electric does not disconnect service, which is required by Minnesota Rule 7820.1400. If possible, the Cooperative may contact the tenant to determine if it is possible for them to assume service on a going forward basis. Any arrearage is the responsibility of the landlord.

*Require regulated utilities to include in their next annual affordability program reports a description of their current outreach activities to low-income customers about free and low-cost ECO programs. Require utilities to propose methods for improving ECO outreach to affordability program participants.*

Dakota Electric does not have an affordability program.

### **III. Conclusion**

Dakota Electric respectfully requests that the Commission accept these comments, and its representatives are available to answer any questions that the Commission may have.

Sincerely,

/s/ Adam Heinen

Adam Heinen  
Vice President of Regulatory Services  
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4300 220<sup>th</sup> Street West  
Farmington, MN 55024

## **Certificate of Service**

I, Nicole McEathron, hereby certify that I have this day served copies of the attached document to those on the following service list by e-filing, personal service, or by causing to be placed in the U.S. mail at Farmington, Minnesota.

**Docket No. *E,G-999/PR-25-2***

Dated this 27th day of June 2025

*/s/ Nicole McEathron*

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Nicole McEathron

## MEMBER SERVICE INFORMATION

### General Payment Arrangements

In compliance with Minn. Stat. §216B.098, the Cooperative shall offer a payment agreement for the payment of arrears. Payment agreements will consider a consumer's financial circumstances and any extenuating circumstances of the household. No additional service deposit may be charged as a consideration to continue service to a consumer who has entered and is reasonably on time under an accepted payment agreement.

#### Undercharges:

- a. In compliance with Minn. Stat. §216B.098, the Cooperative shall offer a payment arrangement to consumers who have been undercharged if no culpable conduct by the consumer or resident of the consumer's household caused the undercharge. The agreement may cover a period equal to the time over which the undercharge occurred, or a different time period that is mutually agreeable to the consumer and the Cooperative, except that the duration of a payment agreement offered by the Cooperative to a consumer whose household income is at or below 50 percent of state median household income must consider the financial circumstances of the consumer's household.
- b. No interest or delinquency fee will be charged for payment arrangements resulting from under charges.
- c. If a consumer inquiry or complaint results in the Cooperative's discovery of the undercharge, the Cooperative may bill for undercharges incurred after the date of the inquiry or complaint only if the Cooperative began investigating the inquiry or complaint within a reasonable time after when it was made.

### Medically Necessary Equipment

The Cooperative shall reconnect or continue service to a consumer's residence where a medical emergency exists, or where medical equipment requiring electricity necessary to sustain life is in use, provided that the Cooperative receives: (1) written certification, or initial certification by telephone and written certification within five business days, from a medical doctor that failure to reconnect or continue service will impair or threaten the health or safety of a resident of the consumer's household; and (2) the consumer's consent to a payment arrangement for the amount in arrears. Certification must be renewed annually. Because some interruptions in service are unavoidable and in some cases may last longer than some members can be without power, we urge members with special medical needs to make necessary arrangements for auxiliary power for any vital life-support equipment.

## MEMBER SERVICE INFORMATION DISCONNECTION OF SERVICE

### **Disconnection Without Notice**

Without notice Dakota Electric may disconnect service to any consumer:

- A. in the event of an unauthorized use of or tampering with the Association's equipment; or
- B. in the event of a condition determined to be hazardous to the consumer, to other members of the Association, to the Association's equipment, or to the public.

### **Unlawful Use of Service**

In any case of tampering with meter installation or interfering with the proper functioning thereof or any other unlawful use or diversion of service by any person, or evidence of any such tampering, interfering, unlawful use or service diversion, consumer is liable to immediate discontinuance of service, without notice, and to prosecution under applicable laws, and Association shall be entitled to collect from consumer at the appropriate rate for all power and energy not recorded on the meter by reason of such tampering, interfering, or other unlawful use or service diversion (the amount of which may be estimated by Association from the best available data), and also for all expenses incurred by the Association on account of such unauthorized act or acts.

### **Disconnection for Nonpayment**

#### All Accounts

Dakota Electric shall credit all payments received against the oldest outstanding account balance before the application of any late charge.

#### Residential Accounts

In the case of a resident on either a budget billing plan or a payment schedule, delinquent amount means the lesser of the outstanding account balance or the outstanding scheduled payments. To avoid disconnecting residential accounts as much as possible, Dakota Electric will advise delinquent residential members of the various alternatives available to them, such as protection of the Cold Weather Rule when applicable (see below) and the various assistance programs available through state and local agencies. When no satisfactory payment schedule can be agreed to or maintained, Dakota Electric will proceed with disconnection. The schedule will be as follows:

Balances over \$10.00 not received by Dakota Electric at the time of the next scheduled billing date (approximately 30 days after initial billing and never less than 25 days later) will have an interest charge of 1.5 percent or \$1.00, whichever is greater, added to the balance. A disconnect notice may be sent shortly after the second bill is mailed. Disconnection will be scheduled for not less than five (5) days after the date of the disconnect notice. At the time of disconnection, the residential account will have unpaid use of electricity for not less than 50 days.

#### Commercial and Irrigation Accounts

Balances over \$10.00 not received by Dakota Electric at the time of the next scheduled billing date (approximately 30 days after initial billing and never less than 25 days later) will have an interest charge of 1.5 percent or \$1.00, whichever is greater, added to the balance. A disconnect notice will be sent shortly after the second bill is mailed. Disconnection will be scheduled for five (5) days after the date of the disconnect notice. At the time of disconnection, the commercial account will have unpaid use of electricity for approximately 50 days.

## MEMBER SERVICE INFORMATION DISCONNECTION OF SERVICE

### Notice of Disconnection

Dakota Electric Association shall send notices to disconnect service by first class mail. A specific date will be given for the time when a payment must be received or service may be disconnected.

If Dakota Electric Association is not contacted by the consumer, at least one attempt will be made to contact the consumer by telephone. If no contact is made, an Association employee will make a final attempt to contact the consumer at the place of service, and if no contact is made, or if contact is made but no payment agreement can be reached, service may be disconnected. In the event of a known safety concern, Dakota Electric Association will not make a final attempt to contact the consumer at the place of service. Dakota Electric Association will, in lieu of contact at the place of service, send an additional notice to disconnect service by certified mail if unable to make earlier contact. A specific date will be given for the time when a payment must be received or service may be remotely disconnected. For the purposes of this tariff section, known safety concern is defined as a place of service that requires a police escort, has a potential problem dog, or permission from member to enter the place of service is required.

### Reconnection of Service

In the event that service has been disconnected because of nonpayment of the electric bill, service charges, based on the cost to restore service will be assessed before service is restored. This cost will necessarily be higher during an overtime period.

If service has been disconnected, payment must be in the office before the order will be given to restore service. Cash or money order may be required at any time. Dakota Electric will not restore service until all arrears are paid in full and a deposit is made by cash, credit card, or money order according to the Association's deposit requirements, or until other satisfactory credit arrangement is made.

In the event the order has been issued to disconnect service, and the collector arrives at the premises, he/she must accept cash, credit card, or money order payment of the delinquent bill. This payment will avoid the necessity of terminating service.

### Notice to Government Bodies of Utility Disconnection

Upon written request from a statutory or home rule charter city, of the Department, and consistent with Minnesota Statute 216B.0976, the Cooperative will provide reports of currently disconnected properties or newly disconnected properties for consumers located within the city's boundaries, if requested by a statutory or home rule charter city, or Cooperative service territory, if requested by the Department.

**DISCONNECTION DURING COLD WEATHER**  
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**1. Scope**

This section applies only to residential consumers of the Cooperative.

**2. Definitions**

The following definitions apply in this section:

1. **"Cold weather period"** means the period from October 1 through April 30 of the following year.
2. **"Consumer"** means a residential consumer of the Cooperative.
3. **"Disconnection"** means the involuntary loss of utility heating service as a result of a physical act by the Cooperative to discontinue service. Disconnection includes installation of a service or load limiter or any device that limits or interrupts utility service in any way.
4. **"Household income"** means the combined income, as defined in section 290A.03, subdivision 3, of all residents of the consumer's household, computed on an annual basis. Household income does not include any amount received for energy assistance.
5. **"Reasonably timely payment"** means payment within five working days of agreed-upon due dates.
6. **"Reconnection"** means the restoration of utility heating service after it has been disconnected.
7. **"Summary of rights and responsibilities"** means a notice approved by the Minnesota Public Utilities Commission that contains, at a minimum, the following:
  - a) an explanation of the provisions of Section 5 and Minn. Stat. 216B.096, subd. 5;
  - b) an explanation of no-cost and low-cost methods to reduce the consumption of energy;
  - c) a third-party notice;
  - d) ways to avoid disconnection;
  - e) information regarding payment agreements;
  - f) an explanation of the consumer's right to appeal a determination of income by the Cooperative and the right to appeal if the Cooperative and the consumer cannot arrive at a mutually acceptable payment agreement; and
  - g) a list of names and telephone numbers for county and local energy assistance and weatherization providers in each county served by the Cooperative.

## **DISCONNECTION DURING COLD WEATHER**

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1. **"Third-party notice"** means a Minnesota Public Utilities Commission-approved notice containing, at a minimum, the following information:
  - a) a statement that the Cooperative will send a copy of any future notice of proposed disconnection of Cooperative service to a third party designated by the residential consumer;
  - a) instructions on how to request this service; and
  - b) a statement that the residential consumer should contact the person the consumer intends to designate as the third-party contact before providing the Cooperative with the party's name.
2. **"Cooperative"** means Dakota Electric Association.
3. **"Utility heating service"** means natural gas or electricity used as a primary heating source, including electricity service necessary to operate gas heating equipment, for the consumer's primary residence.
4. **"Working days"** means Mondays through Fridays, excluding legal holidays. The day of receipt of a personally served notice and the day of mailing of a notice shall not be counted in calculating working days.

### **3. Cooperative obligations before cold weather period**

Each year, between August 15 and October 1, the Cooperative must provide all consumers, personally or by first class mail, a summary of rights and responsibilities. The summary must also be provided to all new residential consumers when service is initiated.

### **4. Notice before disconnection during cold weather period**

Before disconnecting utility heating service during the cold weather period, the Cooperative must provide, personally or by first class mail, a Minnesota Public Utilities Commission-approved notice to a consumer, in easy-to-understand language, that contains, at a minimum, the date of the scheduled disconnection, the amount due, and a summary of rights and responsibilities.

At the same time a member receives this notice of disconnection, the Cooperative will also give written or electronic notice of the proposed disconnection to the local energy assistance provider and the Department.

**DISCONNECTION DURING COLD WEATHER**  
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**5. Cold weather rule**

During the cold weather period, the Cooperative may not disconnect and must reconnect utility heating service of a consumer whose household income is at or below 50 percent of the state median income if the consumer enters into and makes reasonably timely payments under a mutually acceptable payment agreement with the Cooperative that is based on the financial resources and circumstances of the household; provided that, the Cooperative may not require a consumer to pay more than ten percent of the household income toward current and past utility bills for utility heating service.

The Cooperative may accept more than ten percent of the household income as the payment arrangement amount if agreed to by the consumer.

The consumer or a designated third party may request a modification of the terms of a payment agreement previously entered into if the consumer's financial circumstances have changed or the consumer is unable to make reasonably timely payments.

The payment agreement terminates at the expiration of the cold weather period unless a longer period is mutually agreed to by the consumer and the Cooperative.

The Cooperative shall use reasonable efforts to restore service within 24 hours of an accepted payment agreement, taking into consideration consumer availability, employee availability, and construction-related activity.

**6. Verification of income**

In verifying a consumer's household income, the Cooperative may:

- (1) accept the signed statement of a consumer that the consumer is income eligible;
- (2) obtain income verification from a local energy assistance provider or a government agency;
- (3) consider one or more of the following:
  - a) the most recent income tax return filed by members of the consumer's household;
  - b) for each employed member of the consumer's household, paycheck stubs for the last two months or a written statement from the employer reporting wages earned during the preceding two months;

**DISCONNECTION DURING COLD WEATHER**  
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- a) documentation that the consumer receives a pension from the Department of Human Services, the Social Security Administration, the Veteran's Administration, or other pension provider;
- b) a letter showing the consumer's dismissal from a job or other documentation of unemployment; or
- c) other documentation that supports the consumer's declaration of income eligibility.

A consumer who receives energy assistance benefits under any federal, state, or county government programs in which eligibility is defined as household income at or below 50 percent of state median income is deemed to be automatically eligible for protection under this section and no other verification of income may be required.

**7. Prohibitions and requirements**

This section applies during the cold weather period.

The Cooperative may not charge a deposit or delinquency charge to a consumer who has entered into a payment agreement or a consumer who has appealed to the Minnesota Public Utilities Commission under Section 8 and Minn. Stat. 216B.096, subd. 8.

The Cooperative may not disconnect service during the following periods:

- (1) during the pendency of any appeal under Section 8 and Minn. Stat. 216B.096, subd. 8;
- (2) earlier than ten working days after the Cooperative has deposited in first class mail, or seven working days after the Cooperative has personally served, the notice required under Section 4 to a consumer in an occupied dwelling;
- (3) earlier than ten working days after the Cooperative has deposited in first class mail the notice required under Section 4 and Minn. Stat. 216B.096, subd. 4 to the recorded billing address of the consumer, if the Cooperative has reasonably determined from an on-site inspection that the dwelling is unoccupied;
- (4) on a Friday, unless the Cooperative makes personal contact with, and offers a payment agreement consistent with this section to the consumer;
- (5) on a Saturday, Sunday, holiday, or the day before a holiday;
- (6) when Cooperative offices are closed;

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(7) when no Cooperative personnel are available to resolve disputes, enter into payment agreements, accept payments, and reconnect service; or

(8) when the Minnesota Public Utilities Commission offices are closed.

The Cooperative may not discontinue service until the Cooperative investigates whether the dwelling is actually occupied. At a minimum, the investigation must include one visit by the Cooperative to the dwelling during normal working hours. If no contact is made and there is reason to believe that the dwelling is occupied, the Cooperative must attempt a second contact during nonbusiness hours. If personal contact is made, the Cooperative representative must provide notice required under Section 4 and Minn. Stat. 216B.096, subd. 4 and, if the Cooperative representative is not authorized to enter into a payment agreement, the telephone number the consumer can call to establish a payment agreement.

The Cooperative must reconnect utility service if, following disconnection, the dwelling is found to be occupied and the consumer agrees to enter into a payment agreement or appeals to the Minnesota Public Utilities Commission because the consumer and the Cooperative are unable to agree on a payment agreement.

**8. Disputes; consumer appeals**

The Cooperative must provide the consumer and any designated third party with a Minnesota Public Utilities Commission-approved written notice of the right to appeal:

(1) a Cooperative determination that the consumer's household income is more than 50 percent of state median household income; or

(2) when the Cooperative and consumer are unable to agree on the establishment or modification of a payment agreement.

A consumer's appeal must be filed with the Minnesota Public Utilities Commission no later than seven working days after the consumer's receipt of a personally served appeal notice, or within ten working days after the Cooperative has deposited a first class mail appeal notice.

**DISCONNECTION DURING COLD WEATHER**  
**(Page 6 of 6)**

Notwithstanding any other law, following an appeals decision adverse to the consumer, the Cooperative may not disconnect utility heating service for seven working days after the Cooperative has personally served a disconnection notice, or for ten working days after the Cooperative has deposited a first class mail notice. The notice must contain, in easy-to-understand language, the date on or after which disconnection will occur, the reason for disconnection, and ways to avoid disconnection.

**9. Consumers above 50 percent of state median income**

During the cold weather period, a consumer whose household income is above 50 percent of state median income:

- (1) has the right to a payment agreement that takes into consideration the consumer's financial circumstances and any other extenuating circumstances of the household; and
- (2) may not be disconnected and must be reconnected if the consumer makes timely payments under a payment agreement accepted by the Cooperative.

The second sentence of Section 7 does not apply to consumers whose household income is above 50 percent of state median income.

**10. Reporting**

Annually on November 1, the Cooperative must electronically file with the Minnesota Public Utilities Commission a report, in a format specified by the Minnesota Public Utilities Commission, specifying the number of utility heating service consumers whose service is disconnected or remains disconnected for nonpayment as of September 15 and October 1. If consumers remain disconnected on October 1, the Cooperative must file a report each week between November 1 and the end of the cold weather period specifying:

- (1) the number of utility heating service consumers that are or remain disconnected from service for nonpayment; and
- (2) the number of utility heating service consumers that are reconnected to service each week. The Cooperative may discontinue weekly reporting if the number of utility heating service consumers that are or remain disconnected reaches zero before the end of the cold weather period.

The data reported under this Section and Minn. Stat. 216B.096 are presumed to be accurate upon submission and must be made available through the commission's electronic filing system.

## MEMBER SERVICE INFORMATION DEPOSITS

It will be the policy of Dakota Electric Association to collect a deposit not to exceed an estimated two months' gross bill or existing two months' average bill where applicable if the service has been terminated because of nonpayment or when a bankruptcy is filed. Any existing deposit must be applied to the delinquent bill, and then the new deposit will be assessed and must be paid prior to the time the service is restored.

When a member returns to Dakota Electric Association after leaving with an unpaid balance or other credit problems, a deposit equal to two average months' electric bills of the most recent occupant at that address may be assessed. This deposit is in addition to payment in full for the previously unpaid balance.

Dakota Electric shall not require a deposit for a new member with no prior service from the Association unless the credit history of the new member demonstrates that payment cannot be assured. The determination of the new member's credit history shall be made only by credit reports reflecting the purchase of utility service, unless permission in writing is received from the new member to use other credit reports, and such reports mailed to the new member. Refusal of a new member to permit use of a credit rating or credit service, other than that of a utility, shall not affect the Association's determination of that new member's credit history. Satisfactory credit shall be 12 consecutive months of on-time payments with no remaining unpaid balance.

If a member has maintained a good payment record for one year, the deposit will be refunded. A good payment record is defined as payment of the electric bill within 25 days of the due date each of the preceding 12 months.

Deposits shall earn interest at an annual rate as specified by Minnesota Statute 325E.02. This interest will be credited to the electric bill printed in December or will be credited to the final bill, whichever occurs first.

Deposits, plus interest, will be applied to the final bill, and any credit balance remaining will be refunded within forty-five (45) days from the date service is terminated.

Dakota Electric shall not require a deposit of any member without explaining in writing why that deposit or guarantee is required.

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Kristine	Anderson	kanderson@greatermngas.com	Greater Minnesota Gas, Inc.		1900 Cardinal Lane PO Box 798 Faribault MN, 55021 United States	Electronic Service		No	PR-25-2
2	Ryan	Baumtrog	ryan.baumtrog@state.mn.us		Minnesota Dept of Housing	400 Wabasha St N Ste 400 St. Paul MN, 55102 United States	Electronic Service		No	PR-25-2
3	Matthew	Brodin	mbrodin@allete.com	Minnesota Power		30 West Superior Street Duluth MN, 55802 United States	Electronic Service		No	PR-25-2
4	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	PR-25-2
5	Brandon	Crawford	brandonc@cubminnesota.org	Citizens Utility Board of Minnesota		332 Minnesota St Ste W1360 St. Paul MN, 55101 United States	Electronic Service		No	PR-25-2
6	Beverly	Dahlberg	bevdahlberg@nweco.com	Northwestern Wisconsin Electric Co.		104 South Pine Street P O Box 9 Grantsburg WI, 54840-0009 United States	Electronic Service		No	PR-25-2
7	Brian	Edstrom	briane@cubminnesota.org	Citizens Utility Board of Minnesota		332 Minnesota St Ste W1360 Saint Paul MN, 55101 United States	Electronic Service		No	PR-25-2
8	Ron	Elwood	relwood@mnlisap.org	Legal Services Advocacy Project		970 Raymond Avenue Suite G-40 Saint Paul MN, 55114 United States	Electronic Service		No	PR-25-2
9	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	PR-25-2
10	Jenny	Glumack	jenny@mrea.org	Minnesota Rural Electric Association		11640 73rd Ave N Maple Grove MN, 55369 United States	Electronic Service		No	PR-25-2
11	Adam	Heinen	aheinen@dakotaelectric.com	Dakota Electric Association		4300 220th St W Farmington MN, 55024 United States	Electronic Service		No	PR-25-2
12	Travis	Jacobson	travis.jacobson@mdu.com	Great Plains Natural Gas Company		400 N 4th St Bismarck ND, 58501 United States	Electronic Service		No	PR-25-2
13	Jack	Kegel	jkegel@mmua.org	MMUA		3025 Harbor Lane N Suite 400 Plymouth MN, 55447-5142 United States	Electronic Service		No	PR-25-2
14	Collin	Kremeier	ckremeier@otpc.com	Otter Tail Power Company		PO Box 496 Fergus Falls MN, 56538-	Electronic Service		No	PR-25-2

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						0496 United States				
15	Annie	Levenson Falk	annielf@cubminnesota.org	Citizens Utility Board of Minnesota		332 Minnesota Street, Suite W1360 St. Paul MN, 55101 United States	Electronic Service		No	PR-25-2
16	Jason	Loos	jason.loos@centerpointenergy.com	CenterPoint Energy Resources Corp.		505 Nicollet Mall 3rd Floor Minneapolis MN, 55402 United States	Electronic Service		No	PR-25-2
17	Darrick	Moe	darrick@mrea.org	Minnesota Rural Electric Association		11640 73rd Ave N Maple Grove MN, 55369 United States	Electronic Service		No	PR-25-2
18	David	Moeller	dmoeller@allete.com	Minnesota Power			Electronic Service		No	PR-25-2
19	Jennifer	Peterson	jjpeterson@mnpower.com	Minnesota Power		30 West Superior Street Duluth MN, 55802 United States	Electronic Service		No	PR-25-2
20	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	PR-25-2
21	Jodi	Schinzing	jodischinzing@nweco.com	Northwestern Wisconsin Electric Company		104 S. Pine Street Grantsburg WI, 54840 United States	Electronic Service		No	PR-25-2
22	Lori	Schultz	lorischultz@minncap.org	Minnesota Community Action Partnership		MCIT Building 100 Empire Dr Ste 202 St. Paul MN, 55103 United States	Electronic Service		No	PR-25-2
23	Christine	Schwartz	regulatory.records@xcelenergy.com	Xcel Energy		414 Nicollet Mall, MN1180-07-MCA Minneapolis MN, 55401-1993 United States	Electronic Service		No	PR-25-2
24	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th PI E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		Yes	PR-25-2
25	Richard	Stasik	richard.stasik@wecenergygroup.com	Minnesota Energy Resources Corporation (HOLDING)		231 West Michigan St - P321 Milwaukee WI, 53203 United States	Electronic Service		No	PR-25-2