

January 16, 2024

Will Seuffert
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, Division of Energy Resources**
Minnesota Transmission Owners Biennial Transmission Report
Docket No. E999/M-23-91

Dear Mr. Seuffert:

Attached are the comments of the Minnesota Department of Commerce, Division of Energy Resources (Department) in the following matter:

2023 Biennial Transmission Projects Report.

The Petition was filed by Fredrikson & Byron, P.A.'s Christina Brusven, Attorney at Law on behalf of the Minnesota Transmission Owners on November 1, 2023.

The Department recommends **approval of the Report and modify the definition of inadequacy for future reports**. The Department is available to answer any questions the Minnesota Public Utilities Commission may have.

Sincerely,

/s/ LOUISE MILTICH
Assistant Commissioner of Regulatory Analysis

/s/ STEVE RAKOW
Analyst Coordinator

SR/ad
Attachment



Before the Minnesota Public Utilities Commission

Comments of the Minnesota Department of Commerce Division of Energy Resources

Docket No. E999/M-23-91

I. INTRODUCTION

On November 1, 2023, the Minnesota Transmission Owners (MTO) submitted to the Minnesota Public Utilities Commission (Commission) the MTO's *2023 Biennial Transmission Projects Report* (Report). The MTO is a coalition of fourteen electric utilities that own or operate high voltage transmission facilities in Minnesota.¹ The Report provides a review of the MTO's transmission planning activities. The focus is on MTO's analysis of situations where the present transmission infrastructure is unable or likely to be unable in the foreseeable future to perform in a consistently reliable fashion and in compliance with regulatory standards. The Report does not seek certification of any high voltage transmission line. The Minnesota Department of Commerce, Division of Energy Resources (Department) notes that Northwestern Wisconsin Electric Company (NWECC) did not file a biennial transmission report.²

On November 8, 2023, the Commission issued its *Notice of Comment Periods and Establishment of Service List* (Notice). The Notice established due dates of:

- November 21, 2023, for completeness comments;
- January 15, 2024, for initial comments on the merits of the Report; and
- March 1, 2024, for reply comments.

By November 27, 2023, completeness comments were filed by the Department and Carol Overland a member of the public.

The Notice stated that the following topics are open for Comment:

¹ The members of the MTO are: American Transmission Company, LLC (ATC); Central Minnesota Municipal Power Agency (CMMPPA); Dairyland Power Cooperative (DPC); East River Electric Power Cooperative (EREPC); Great River Energy (GRE); ITC Midwest LLC (ITC); L&O Power Cooperative (LOPC); Minnesota Power (MP); Minnkota Power Cooperative (MPC); Missouri River Energy Services (MRES); Northern States Power Company (Xcel); Otter Tail Power Company (OTP); Rochester Public Utilities (RPU); and Southern Minnesota Municipal Power Agency (SMMPPA). Note that Hutchinson Utilities Commission, Marshall Municipal Utilities and Willmar Municipal Utilities are all served by MRES, and thus MRES does the reporting for them.

² In a letter dated October 22, 2009 Northwestern Wisconsin Electric Company (NWECC), an investor-owned utility with about 100 customers in Minnesota, filed NWECC's *Transmission Projects Biennial Report* (TPBR). The TPBR stated "NWECC owns approximately three miles of 69kV transmission line and a portion of a 230kV substation" and that NWECC "has no plans for construction of transmission facilities in the reasonably foreseeable future." See [200911-44428-01](#) NWECC has not filed a biennial transmission report since 2009.

- Is the Biennial Transmission Projects Report (Report) complete (that is, does it contain the required information as set out in MN Rule 7848.1300)? [Note: Per rule, challenges to completeness must be received within 20 days of the November 1, 2023 initial filing.]
- Are there questions or concerns regarding the representations made in the Report?
- Should the Commission continue to grant the waiver to the public meeting and related notice requirements for the next Report cycle?
- Are there other issues or concerns related to this matter?

Below are the comments of the Department on the merits of the Report.

II. DEPARTMENT ANALYSIS

A. LIST OF INADEQUACIES AND PROPOSED PROJECTS

Minnesota Statutes § 216B.2425, subd. 2 requires utilities that own or operate electric transmission lines in Minnesota, which includes generation and transmission organization that serve distribution utilities to file a transmission report by November 1 of each odd-numbered year. The report must:

- 1) list specific present and reasonably foreseeable future inadequacies in the transmission system in Minnesota;
- 2) identify alternative means of addressing each inadequacy listed;
- 3) identify general economic, environmental, and social issues associated with each alternative; and
- 4) provide a summary of public input related to the list of inadequacies and the role of local government officials and other interested persons in assisting to develop the list and analyze alternatives.

Minnesota Statutes § 216B.2425, subd. 3 requires, by June 1 of each even-numbered year, the Commission to adopt a state transmission project list and to certify, certify as modified, or deny certification of the transmission and distribution projects proposed under subdivision 2.

In the Petition no new transmission or distribution projects were proposed under subdivision 2.

B. NWECC

Similar to 2021, NWECC did not submit a biennial transmission plan in 2023. Regarding NWECC not filing a biennial transmission report in 2021, the Department's comments stated: "Given the limited nature of NWECC's Minnesota transmission system as referenced in footnote 2, the Department has no comments regarding NWECC." NWECC's transmission footprint in Minnesota remains small and the Department once again has no comment on NWECC.

C. *MTO*

1. *MTO's Variance Requests*

MTO made several rule variance requests in the Report. First, MTO requested the Commission extend the rule variances granted in the June 29, 2022, Order accepting the 2021 Biennial Report (and previous orders) for the 2025 Biennial Report as well, such that the future report requirements will mirror the content, notice and participation requirements of this 2023 Biennial Report. As explained below, MTO requested the variance due to lack of public participation and use of other means to engage the public. Second, MTO requests it be allowed to continue to reference the latest MISO Transmission Expansion Plan (MTEP Report) to provide information about the identified inadequacies in Minnesota. Third, MTO requests that the public meeting or webinar requirements in Minn. Rule 7848.0900 and related to outreach in Minn. Rule 7848.1000 be waived.

Minnesota Rule 7829.3200 allows the Commission to vary its rules if it finds:

- A. enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule;
- B. granting the variance would not adversely affect the public interest; and
- C. granting the variance would not conflict with standards imposed by law.

MTO states it can satisfy all three elements as follows:

- “As has been demonstrated in previous biennial report proceedings, application of these rules would excessively burden the MTO by requiring them to spend money and divert engineers and other experts to producing duplicative information and attend meetings that do not appear to have a corresponding public benefit;”
- “lack of public participation in the public meetings and webinars demonstrates that waiving the rules does not adversely affect the public interest,” and
- “the variances is not contrary to any standard imposed by law.”

The Department agrees with MTO that the requested variances are consistent with Commission decisions in proceedings regarding prior biennial reports and that MTO has met the criteria for the Commission to grant a variance. Therefore, the Department recommends the Commission grant the requested variances.

2. *Transmission Issues*

Minnesota Rules 7848.1300, Subps. D and E require the Report to contain:

- list of inadequacies in the transmission system currently affecting reliability;

- a list of reasonably foreseeable future inadequacies expected to affect reliability over the next ten years; and
- a list of all alternative means of addressing each inadequacy identified.

Chapter 6 of the Report provides a lengthy discussion of the current and future inadequacies that would impact reliability. The lists of transmission needs for each of the transmission planning zones can be summarized as follows:

- Northwest Zone:
 - 10 projects listed, one of which triggers a certificate of need (CN) requirement;
 - GRE's Cormorant Junction – Tamarac – Pelican Rapids (LR-PC) Line Rebuild project, planned to be in service by Winter 2030. See tracking number 2023-NW-N2.
 - Three completed projects listed.
- Northeast Zone:
 - 43 projects listed, five of which trigger a CN requirement;
 - Duluth Area 230 kV project, now delayed to the late 2020s or even into the 2030s. See tracking number 2007-NE-N1.
 - HVDC Modernization project, CN docket on-going (Docket No. E015/CN-22-607). See tracking number 2013-NE-N16.
 - Iron Range-Arrowhead 345 kV Project, no current plans to construct. See 2015-NE-N12.
 - Duluth Loop Reliability Project, CN docket on-going (Docket No. E015/CN-21-140). See 2019-NE-N12.
 - Northland Reliability Project, CN docket on-going (Docket No. E015,ET2/CN-22-416). See 2023-NE-N1.
 - 16 completed or cancelled projects listed.
- West Central Zone:
 - 28 projects listed, five of which trigger a CN requirement;
 - GRE, OTP, and MRES' Appleton – Benson 115 kV Line project, planned to be in service by December 2029. See tracking number 2021-WC-N6.
 - OTP's Milbank, SD Area Upgrades project, OTP expects to file the CN in second quarter of 2024, expected to be completed by the end of 2026. See tracking number 2023-WC-N2.
 - GRE, MP, MRES, OTP, and Xcel's Big Stone South – Alexandria – Big Oaks 345 kV project, CN docket on-going (Docket No. E002, E017, ET2, E015, ET10/CN-22-538). See tracking number 2015-NE-N12.
 - GRE, MRES, and SMMPA's Willmar – Stockade – Hutchinson Rebuild and 115 kV Conversion project, scheduled for spring 2030 completion. See tracking number 2023-WC-N5.
 - MRES' Alexandria Substation Expansion, planned to be in-service by fourth quarter 2026/27). See tracking number 2023-WC-N14. While listed separately, this appears to be part of the Big Stone South – Alexandria – Big Oaks 345 kV project above.

- Three completed projects listed.
- Twin Cities Zone:
 - 48 projects listed, none trigger a CN requirement;
 - Five completed projects listed.
- Southwest Zone:
 - 18 projects listed, one of which is listed triggering a CN requirement;
 - The project is SMMPA's Fairmont, MN Area Transmission Expansion project, expected in service date is late 2026. See tracking number 2023-SW-N10. Note that it is not clear why this project would require a CN since the project is described as involving 69 kV transmission lines with associated substations. The Department concludes that the listing is in error.
 - No completed projects listed.
- Southeast Zone:
 - 17 projects listed, one of which triggers a CN requirement;
 - The project is DPC's J898 Interconnection at Beaver Creek project, expected in service date is not determined. See tracking number 2023-SE-N8. Note that the project is listed (in error) as not requiring a CN. However, the Department confirmed with MTO that it requires a CN since it involves a 161 kV line crossing a state border.
 - Six completed projects listed.

3. *Transmission Studies*

Minnesota Rules 7848.1300, Subp. F requires the Report to contain a list of studies that have been completed, are in progress, or are planned that are relevant to each of the inadequacies listed in the Report. Chapter 3 of the Report discusses transmission studies as follows:

- Section 3.2 lists eight transmission studies that were completed since the last Biennial Report was filed in October of 2021.
- Section 3.3 discusses MISO's annual MTEP process, including the MTEP reports for 2020 through 2023.
- Section 3.3 lists three Load-serving studies, one of which is expected to be completed in 2024.

Based upon review of the above information the Department concludes that the Report includes the required transmission studies.

D. *TRANSMISSION FOR RENEWABLES AND SOLAR*

The Report also contains a section regarding Minnesota's Renewable Energy Standard (RES Report) as required by Minnesota Statutes § 216B.2425, subd. 7. The RES Report is a joint effort by a separate

group from the MTO but containing many of the same utilities.³ Minnesota Statutes § 216B.2425, subd. 7 governing the RES Report states:

Each entity subject to this section shall determine necessary transmission upgrades to support development of renewable energy resources required to meet objectives under section 216B.1691 and shall include those upgrades in its report under subdivision 2.

The RES Utilities begin by citing a Department report that concluded that all utilities have satisfied their respective renewable and solar energy standards compliance requirements for 2021.⁴ Otter Tail Power Company is the only utility having difficulty meeting the small-scale solar ten percent (10%) component for the 2021 program year. Table 3 of the Department's report summarize how far into the future each utility expects to be able to comply.

The RES Report starts with a gap analysis which provides "an estimate of how many more megawatts of renewable generating capacity a utility expects it will require beyond that which is presently available to obtain the required amount of renewable energy." According to the chart on page 223 of the RES Report, the RES Utilities, as a whole, have sufficient capacity acquired to meet the Minnesota RES needs through 2035. Additionally, the RES utilities, as a whole, have enough capacity to meet the RES needs of other jurisdictions as well as Minnesota's RES needs through 2035. According to Table 2 of the RES Report only two RES Utilities need additional renewable capacity for Minnesota RES needs by 2030, totaling only 58 MW.⁵ Finally, according to Table 3 of the RES Report no RES Utility needs additional solar capacity through 2035.

Thus, the Department agrees with the RES Utilities that significant transmission investment for the purposes of the RES is not required in the near future.

E. DISTRIBUTION REPORT AND GRID MODERNIZATION

Minnesota Statutes § 216B.2425, Subd. 8 states:

Each entity subject to this section that is operating under a multiyear rate plan approved under section 216B.16, subdivision 19, shall conduct a distribution study to identify interconnection points on its distribution

³ The utilities sponsoring the RES Report are: MP, Xcel, OTP, Basin Electric Power Cooperative, DPC, EREPC, GRE, LOPC, MPC, CMMPA, Minnesota Municipal Power Agency, SMMPA, Western Minnesota Municipal Power Agency/MRES, and Heartland Consumers Power District (jointly, the RES Utilities).

⁴ The most recent report was filed in Docket Nos. E999/PR-22-12, E999/M-22-85, E999/PR-02-1240, filed February 1, 2023. See [20232-192817-03](#)

⁵ These are CMMPA and WMMPA/MRES.

system for small-scale distributed generation resources and shall identify necessary distribution upgrades to support the continued development of distributed generation resources, and shall include the study in its report required under subdivision 2.

Minnesota Statutes § 216B.2425, subd. 2 (e) states:

In addition to providing the information required under this subdivision, a utility operating under a multiyear rate plan approved by the commission under section 216B.16, subdivision 19, shall identify in its report investments that it considers necessary to modernize the transmission and distribution system by enhancing reliability, improving security against cyber and physical threats, and by increasing energy conservation opportunities by facilitating communication between the utility and its customers through the use of two-way meters, control technologies, energy storage and microgrids, technologies to enable demand response, and other innovative technologies.

Regarding these requirements, the Report states that Xcel Energy is the only utility currently operating under a multiyear rate plan and thus is the only utility required to file a grid modernization plan and a distribution study. The Report at page 11 contains a table that shows the dockets in which Xcel Energy submitted Biennial Distribution and Grid Modernization Reports under Minnesota Statutes § 216B.2425.

Since the Biennial Distribution and Grid Modernization Reports are filed in separate dockets the Department will not comment on those reports in this proceeding.

F. NON-WIRE ALTERNATIVES

Section 2.7 of the Report discusses non-wire alternatives and Section 2.8 discusses Federal Energy Regulatory Commission (FERC), Midcontinent Independent System Operator, Inc. (MISO), and Grid North Partners⁶ (GNP) actions regarding congestion, distributed energy resources (DER) and distribution planning in response to the Commission's June 12, 2018 *Order Accepting Report, Granting Variance, and Setting Additional Requirements* in Docket No. E999/M-17-377.⁷

⁶ Grid North Partners member utilities include Central Municipal Power Agency/Services, Dairyland Power Cooperative, Great River Energy, Minnesota Power, Missouri River Energy Services, Otter Tail Power Company, Rochester Public Utilities, Southern Minnesota Municipal Power Agency, WPPI Energy, and Xcel Energy.

⁷ See [20186-143760-01](#)

Section 2.7 of the Report includes a discussion of non-wire alternatives to transmission projects, such as new operating guides or procedures, demand side management, distributed generation, and storage of electricity and a table summarizing the options and describing the benefits and challenges of each alternative. The MTO indicated that specific non-wires alternatives are considered when evaluating solutions to a particular transmission inadequacy. Non-wire alternatives are discussed in the context of particular transmission needs in Chapter 6 of the Report.

Section 2.8 of the Report contains a discussion of FERC and MISO related to distributed energy resources and distribution planning. The Report discusses FERC's Order No. 2023, the creation of the MISO DER Affected System Study (AFS), and MISO's FERC Order No. 841 compliance filing, among other issues.

Finally, the Department notes that the Report discusses recent actions announced by Grid North Partners (GNP). GNP participated in the development of MISO's Long-Range Transmission Planning process, which resulted in numerous 345 kV transmission projects across the MISO-North footprint. Also, GNP reviewed historical and projected transmission system congestion in the MISO market as part of an effort to identify potential system upgrades that could reduce congestion in the GNP footprint. The Report states that GNP's congestion effort was completed in 2023 and at least 21 projects from several GNP member companies are underway to increase transmission capacity and reduce market congestion in the GNP footprint.

Based upon review of the above information the Department concludes that the Report complies with the Commission's requirements regarding non-wire alternatives.

G. COORDINATION WITH MISO

The Commission's August 19, 2020 *Order Accepting Report, Granting Variance, and Setting Additional Requirements*,⁸ in Docket No. E999/M-19-205 at Order Point 5(d) states:

The MTO shall describe its efforts to engage with MISO to ensure that Minnesota's transmission needs have been met, and shall provide an assessment of whether MISO has been responsive to Minnesota's identified and likely transmission needs.

In addition, while not directly related, the Report mentions the Commission's June 29, 2022 *Order Accepting Report*⁹ in Docket No. E999/M-21-111, which states at Order Point 6:

⁸ See [20208-166007-01](#)

⁹ See [20208-166007-01](#)

MTO must file, within 90 days, additional information as set forth in ordering paragraph 5(d) of the Commission's August 19, 2020, order, in Docket E-999/M-19-205, which required a filing within 90 days that included "an assessment of whether MISO has been responsive to Minnesota's identified and likely transmission needs.

Section 2.9 of the Report discusses MTO's coordination with MISO and concludes that "MTO believes MISO has been responsive to Minnesota's identified and likely needed transmission, recognizing a number of challenges that abate progress in these areas."

Based upon review of the above information the Department concludes that the Report complies with the Commission's requirements regarding coordination with MISO.

H. REFORM PROPOSAL

As noted above, Minnesota Statutes § 216B.2425 and Minnesota Rules Chapter 7848 require a biennial report regarding transmission "inadequacies." However, neither Minnesota Statutes § 216B.2425 nor Minnesota Rules chapter 7848 define an inadequacy. In the past a broad definition of inadequacy has been used. This is a reasonable approach, but results in a large report that, in essence, contains so much detail that it can be difficult to isolate issues that merit the Commission's attention from those that do not. In addition, the costs of creating and analyzing the biennial report using the current definition exceed the benefits. Finally, information on inadequacies in Minnesota using a broad definition is available through MISO's MTEP process.

To better align costs and benefits and to enable parties and the Commission to focus on broader policy issues rather than transmission planning details, the Department recommends the Commission define inadequacy as any issue where the solution would require a CN. First, this would reduce the cost of the process, bringing it into better alignment with benefits. Second, the proposal would focus the process on projects that could eventually come before the Commission, aligning the transmission planning process with the transmission acquisition (CN) process. Third, the inclusion of scores of potential projects in a single filing, as is the current practice, makes it nearly impossible to distinguish significant issues from items that can easily be addressed when the need has arrived. The result is a lack of analysis of any of the planned projects, as can be seen in comments of the Department and other parties in past proceedings. The lack of analysis at the planning stage precludes the ability to guide the development of specific alternatives.

Table 1 below illustrates the impact of this proposal. The Department welcomes feedback on this proposal in reply comments.

Table 1 All Inadequacies vs CN-level Inadequacies

Zone	Number of Inadequacies	CNs Required
Northwest Zone	10	1
Northeast Zone	43	5
West Central Zone	28	5
Twin Cities Zone	48	0
Southwest Zone	18	1
Southeast Zone	17	0
TOTAL	164	12

For further information on potential reform of the biennial transmission report process, see the Commission's January 30, 2023 *Notice of Comment Period* in Docket No. E999/M-21-111.¹⁰

I. DISCUSSION OF COMPLETENESS COMMENTS

Carol Overland raised several issues of that go to the merits of the Petition rather than completeness. Therefore, the Department responds those issues below.

1. Market-based Planning

Regarding the focus of MISO's transmission planning Ms. Overland stated:

Overall, it's clear that the utilities rely on MISO transmission planning for its need claims, planning which is market based. All such references to MISO "approval" should be stricken from this Report, as this is not a demonstration of need, but of marketing plans.

First, the Department agrees that MTO relies on MISO for a significant amount of the Report. It is also correct that MISO operates a seasonal capacity market, daily energy and ancillary services markets and so forth. Second, the Department agrees that a MISO determination that a particular project is either needed or not needed is not definitive in Minnesota. Instead, projects must meet the various criteria established by Minnesota Statutes and Minnesota Rules. Third, it is incorrect to conclude that MISO's planning focuses on markets. That MISO does not solely focus transmission planning on the operation of MISO's markets can be seen from the fact that MISO has eight categories of transmission projects, some having little relation to markets, such as Baseline Reliability Projects while others are more

¹⁰ See comments filed by The Department, Murray County Board of Commissioners, National Grid Renewables, Carol A. Overland, Attorney at Law.

targeted at the operation of MISO's markets, such as Market Efficiency Projects. A full description of MISO's various project types can be found in MISO's *MTEP23* report.¹¹

2. 2022 MISO Planning Resource Auction Results

Regarding the 2022 MISO Planning Resource Auction Results Ms. Overland stated "When claiming a 1,300 MW shortfall (LTRA p. 9), does the NERC [North America Electric Reliability Corporation] LTRA [Long-Term Reliability Assessment] account for/consider Xcel's 1,500 MW of excess capacity?"

First, the Department notes that NERC's LTRA claim of a 1,300 MW shortfall refers to summer 2023, which is included in the 2023-2024 planning year while Xcel's 1,500 MW of excess capacity refers to the 2022-2023 planning year. Therefore, the numbers refer to different planning years and should not be compared to each other.

Second, the Department notes that NERC's LTRA was published in December 2022. In spring of 2023 MISO held the annual capacity auction. MISO did not experience a capacity shortfall in the annual capacity auction.¹²

3. MISO's LRTP Need Discussion

Regarding MISO's LRTP projects Ms. Overland asked:

We've been told repeatedly that transmission build-out will decrease needed reserve margin. How's that working? If so, what's the impact on "need" for the massive MISO Tranche 1 build-out?

This is an issue for the three on-going certificate of need proceedings¹³ and should be addressed in those dockets rather than in the biennial transmission plan. This is because the impacts of and need for the LRTP projects will be vetted in the three on-going certificate of need proceedings. The LRTP Tranche 1 projects have moved beyond the planning stage to obtaining necessary permits.

4. Xcel's Minnesota Energy Connection Need Discussion

Regarding Xcel's proposed Minnesota Energy Connection project Ms. Overland stated "Another repeated point which should be addressed are those projects utilizing the "Big Oaks" new substation, near Sherco. Noting that the Big Stone South – Alexandria – Big Oaks line is anchored near Sherco, this

¹¹ See [MTEP23 Report](#) at pages 13 to 14.

¹² See [PRA Results for Planning Year 2023-24](#)

¹³ See Docket Nos. E015, ET2/CN-22-416, E002/CN-22-532, and E002, E017, ET2, E015, ET10/CN-22-538.

calls into question the “need” for the \$1 billion dollar Lyon County to substations at or near Sherco, which Xcel desire to retain its transmission rights.”

Questions as to need for the Minnesota Energy Connection and related substations are best addressed in the on-going certificate of need proceeding.¹⁴

J. DISCUSSION TOPICS LISTED IN THE NOTICE

1. Completeness

The first issue specified in the Notice is “Is the Biennial Transmission Projects Report (Report) complete (that is, does it contain the required information as set out in MN Rule 7848.1300)?”

As stated in the Department’s November 15, 2023 letter, the Department recommends the Commission determine the Report to be complete.

2. Questions or Concerns

The second issue specified in the Notice is “Are there questions or concerns regarding the representations made in the Report?”

As indicated by the above analysis, the Department does not have any questions or concerns regarding the representations made in the Report.

3. Granting the Waiver

The third issue specified in the Notice is “Should the Commission continue to grant the waiver to the public meeting and related notice requirements for the next Report cycle?”

As stated above, the Department recommends the Commission grant the variances requested by MTO.

4. Other Concerns

The fourth issue specified in the Notice is “Are there other issues or concerns related to this matter?”

As stated above, the Department recognizes that, under the currently used definition of inadequacy, the costs of preparing the biennial report likely exceed the benefits. Therefore, the Department

¹⁴ See Docket No. E002/CN-22-131.

recommends the Commission provide a definition of inadequacy as any issue where the solution would require a CN. The Department welcomes feedback on this proposal in reply comments.

III. DEPARTMENT RECOMMENDATION

Based on the record in this docket, review of the statutory requirements and the Department's analysis The Department recommends approval of the Report.

The Department recommends, for future biennial reports, the Commission define inadequacy as any issue where the solution would require a CN.

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. E999/M-23-91

Dated this **16th** day of **January 2024**

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	60 S 6th St Ste 1500 Minneapolis, MN 55402-4400	Electronic Service	No	OFF_SL_23-91_Official
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-91_Official
Ian M.	Dobson	ian.m.dobson@xcelenergy.com	Xcel Energy	414 Nicollet Mall, 401-8 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_23-91_Official
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_23-91_Official
Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_23-91_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_23-91_Official
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_23-91_Official
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-91_Official