

STATE OF MINNESOTA
BEFORE THE PUBLIC UTILITIES COMMISSION

Katie Sieben	Chair
Joseph Sullivan	Vice-Chair
Hwikwon Ham	Commissioner
Audrey Partridge	Commissioner
John Tuma	Commissioner

In the Matter of Cold Weather Rule Reports
(CWR) – Regulated Gas & Electric Companies

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

**Reply Comments of the Citizens Utility Board of Minnesota
and the Legal Services Advocacy Project**

The Citizens Utility Board of Minnesota (“CUB”) and the Legal Services Advocacy Project (“LSAP”) respectfully submit these reply comments in response to the Minnesota Public Utilities Commission’s (“Commission”) Notice of Comment issued on February 28, 2025 in the above-referenced matter.

I. Background

On January 31, 2025, CUB and LSAP submitted comments in the instant docket responding to the Commission’s request for insights into the Residential Customer Status Reports filed by utilities.¹ Among the questions posed by the Commission were whether any trends should be highlighted, and whether the reported data revealed any concerns about the equitable provision of utility service to residential customers.

As CUB and LSAP detailed in those comments, our respective organizations remain concerned with the rise in service disconnections detailed in utilities’ reports. More than 91,000 residential customers were disconnected from service in 2024, many of whom faced service terminations during the Cold Weather Rule (“CWR”) period. These trends are indicative of the pervasive affordability challenges faced by residential households throughout Minnesota and underscore the need to maintain transparency into utility practices, connect customers with assistance resources, and ensure ratepayers are adequately informed of their rights and obligations for utility service.

While the monthly reports filed in Docket No. E,G-999/PR-YR-02 provide a high-level overview of customer impacts, they do not include sufficient information about utilities’ disconnection processes. CUB and LSAP offered several recommendations to increase transparency and ensure customers are aware of the options available to them. Specifically, we recommended that utilities be required to file their disconnection and payment agreement policies and practices in the instant docket, and to

¹ *In the Matter Cold Weather Rule Reports (CWR) – Regulated Gas and Electric Companies*, Docket No. E,G-999/PR-24-2, Comments of the Citizens Utility Board of Minnesota and the Legal Services Advocacy Project (Jan. 31, 2025) (hereinafter “CUB and LSAP Initial Comments”).

publish that information on their respective websites, together with notices informing customers of their statutory rights. The Commission has already required Northern States Power Company d/b/a Xcel Energy (“Xcel”) and CenterPoint Energy Minnesota Gas (“CenterPoint”) to implement several of these recommendations.² CUB and LSAP also proposed that utilities be required to discuss methods for improving Energy Conservation and Optimization (“ECO”) outreach activities to reach struggling households.

On February 10, 2025, CenterPoint Energy Minnesota Gas (“CenterPoint”) filed a response agreeing to several of our recommendations. The Commission subsequently issued a Notice of Comment on February 28, 2025, asking utilities to voluntarily provide the information requested by CUB and LSAP or, in the alternative, to explain why doing so would be unfeasible or inappropriate.

On March 27, 2025, the Commission held a hearing on a separate issue and, in response to recommendations made by CUB and LSAP, directed CenterPoint to (1) file in Docket No. E,G-999/PR-YR-02 its disconnection, payment agreement, and billing practices; (2) submit an additional compliance filing whenever those practices are modified; and (3) to post in a conspicuous place on its website the manner in which disconnections are carried out, including any threshold arrearage balance used to determine whether a customer is liable for disconnection, as well as the payment agreement requirements employed by CenterPoint, including the methodology used to determine the down payment amount requested from customers.³

CenterPoint, Great Plains Natural Gas Co. (“Great Plains”), and Minnesota Energy Resources Corporation (“MERC”) filed comments responsive to the Commission’s February 28 Notice on March 31, 2025.

II. Analysis

CUB and LSAP appreciate the perspectives raised by the utilities in this proceeding. We continue to believe the recommended actions are necessary to ensure stakeholders, ratepayers, and the Commission are adequately informed of utility policies and practices related to disconnections and payment agreements. The primary function of these disclosures—including the Residential Customer Status Reports—is to inform Minnesotans of ratepayer protections and increase transparency into residential customers’ ability to maintain essential utility service. Below, we respond to the initial comments of Great Plains, CenterPoint, and MERC. We also raise an additional concern related to Greater Minnesota Gas’ failure to submit residential customer data in E,G-999/PR-YR-02 during the 2024 calendar year.

² See generally *In the Matter of Xcel Energy’s 2023 Annual Safety, Reliability, and Service Quality Report*, Docket No. E-002/M-24-27, Order Accepting Reports and Setting Additional Requirements (Jan. 13, 2025); Minnesota Public Utilities Commission, Recorded Webcast of March 27, 2025 related to Docket No. G-008/C-24-191, available at https://minnesotapuc.granicus.com/player/clip/2512?view_id=2&redirect=true.

³ See generally Minnesota Public Utilities Commission, Recorded Webcast of March 27, 2025 related to Docket No. G-008/C-24-191, available at https://minnesotapuc.granicus.com/player/clip/2512?view_id=2&redirect=true.

A. Great Plains Natural Gas Company

Great Plains indicates throughout its comments that it will file the requested information if ordered by the Commission, but expresses concern that publishing the company's disconnection and payment agreement policies and practices on its website "may only further frustrate a customer looking for information on what to do when they are past due on their account."⁴ Rather than publishing these practices in their entirety, Great Plains prefers only to host the language of CUB and LSAP's Request No. 3, which the company finds to be the "most clear and concise method of presenting information to customers" about payment agreement rights.⁵

1. 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.
2. 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].
3. 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.

CUB and LSAP appreciate Great Plains' willingness to host the above language on its website, but respectfully disagree with the company's reasoning for not publishing its policies and practices for customers. We believe this information can be provided in a way that does not interfere with the above disclosure. For example, Xcel Energy prominently displays the language of Request No. 3 on its payment arrangement webpage, and includes a separate link for its disconnection policies.⁶ Great Plains and other utilities could employ a similar approach so that customers can easily identify their rights and relevant contact information without being overwhelmed with additional resources.

B. CenterPoint Energy

CenterPoint has agreed to several recommendations made by CUB and LSAP, subject to minor language changes. Specifically, the company committed to (1) submitting a compliance filing in the instant docket detailing its current disconnection, payment agreement, and billing practices; (2)

⁴ Great Plains Comments at 3.

⁵ Great Plains Comments at 2-3.

⁶ Xcel Energy, *Pay Arrangements*, XCELENERGY.COM, <https://mn.my.xcelenergy.com/s/billing-payment/energy-assistance/pay-arrangements> (last visited Apr. 4, 2025); *see also* Xcel Energy, *Manage Your Bill*, XCELENERGY.COM, <https://mn.my.xcelenergy.com/s/billing-payment/manage-bill> (last visited Apr. 4, 2025) (including a separate link to disconnection processes through the company's bill management portal).

updating that compliance filing whenever policy modifications are implemented; (3) including on its website a description of disconnection policies, payment agreements, and down payment methodologies;⁷ and (4) hosting the language contained in CUB and LSAP's Request No. 3.⁸ The Commission subsequently ordered the company to follow the first three of these recommendations in Docket No. G-008/C-24-191.⁹ For this reason, the outstanding question in this docket relates to whether the Commission should adopt the language change requested by CenterPoint regarding the payment agreement rights detailed in Request No. 3, above. We respectfully urge the Commission to reject this change.

CenterPoint seeks to modify subsection Request No. 3, subsection (b) to eliminate reference to the affordability of payment agreement terms. Instead, the company proposes adopting the following language:

If the ~~payment agreement terms offered are~~ current bill is not affordable to you, or if your household is facing financial or extenuating circumstances, you should contact a CenterPoint Energy customer account representative at 800-245-2377 and/or [Company can provide a link for the "contact us" form].¹⁰

While we appreciate CenterPoint's overarching support for Request No. 3, the proposed language change alters the meaning of CUB and LSAP's recommendation. CenterPoint, like other utilities, already includes information on its website notifying customers about payment agreement opportunities if they are behind on their bills. The language we are seeking in Request No. 3 is focused not on the general availability of these arrangements but instead on the need for the agreements to consider household circumstances.

At their core, the Request No. 3 disclosures are designed to familiarize utility customers with their rights regarding payment agreements. This includes the requirement that utilities "negotiate payment agreement terms, including any down payment, individually with each customer based on the customer's financial circumstances and any extenuating circumstances of the household."¹¹ As the Commission has concluded, the customer protections contained in Minn. Stats. §§ 216B.096 and 216B.098 are designed not only to provide the opportunity for a payment agreement, but also to ensure the terms and conditions of those agreements are affordable for each individual household.¹² In other words, it is not only the affordability of the original bill that matters, but also the affordability

⁷ CenterPoint also committed to several other disclosures related to the overlap between its Home Service Plus and regulated gas service. These commitments were borne from CUB and LSAP's recommendations in Docket No. G-008/C-24-191.

⁸ *In the Matter of Cold Weather Rule Reports (CWR) – Regulated Gas & Electric Companies*, Docket No. E,G-999/PR-25-02, Reply Comments of CenterPoint Energy (Mar. 31, 2025) (hereinafter "CenterPoint Reply Comments") (updating CenterPoint's earlier comments dated Feb. 10, 2025).

⁹ See generally Minnesota Public Utilities Commission, Recorded Webcast of March 27, 2025 related to Docket No. G-008/C-24-191, available at https://minnesotapuc.granicus.com/player/clip/2512?view_id=2&redirect=true.

¹⁰ CenterPoint Reply Comments at 4.

¹¹ *In the Matter of Xcel Energy's 2023 Annual Safety, Reliability, and Service Quality Report*, Docket No. E-002/M-24-27, Order Accepting Reports and Setting Additional Requirements at 4 (Jan. 13, 2025); see also Minn. Stats. §§ 216B.096, subds. 5(a), 5(c), 10(1), 216B.098, subd. 3.

¹² *Id.* at 6.

of the payment agreement itself. The language sought by CUB and LSAP in Request No. 3 allows customers to understand their rights, so they are more able to negotiate affordable, maintainable payment agreements. These disclosures should be consistent in application across utilities.

For these reasons, we maintain our original recommendation.

C. Minnesota Energy Resources Corporation

1. Policies and Practices

MERC indicates that it “does not believe it is necessary” to file its policies and practices related to disconnections, service deposits, and payment agreements because the company’s “Commission-approved tariffs already contain the requested information.”¹³ Further, the company argues its publishing of tariffs on its website provides sufficient transparency into its policies and practices.¹⁴ CUB and LSAP appreciate MERC directing us towards its tariffs, but we respectfully disagree with the company’s conclusion. The language contained in MERC’s tariffs shapes the utility’s practices, but the company’s own comments illustrate that certain policies are neither contained in its tariffs nor hosted on its website.

In particular, MERC states in its comments that non-low-income customers seeking to enter into payment agreements are asked to pay down 40 percent of their arrearage balance and are offered repayment terms of up to 18 months.¹⁵ This information is not included in the company’s tariffs.¹⁶ Nor, for that matter, is it explained in the “Payment Arrangements” tab of the company’s Residential Customer Status Report.¹⁷ MERC’s website likewise contains conflicting information, stating that customers who have not broken payment arrangements, had their service disconnected, or had non-sufficient funds in the past 13 months would be asked “to pay 1/3 of the full balance with a confirmed payment today and the remaining 2/3 in up to 90 days.”¹⁸ If a customer has broken a payment arrangement, been disconnected, or had non-sufficient funds within the past 13 months, then they would be required “to pay 1/2 of the account balance with a confirmed payment today and the remainder in 2-weeks.”¹⁹ CUB and LSAP appreciate that MERC hosts the above-mentioned language on its website, as other utilities have previously refrained from publishing down-payment policies. Nonetheless, we remain uncertain of how much customers are actually being asked for. These

¹³ *In the Matter of Cold Weather Rule Reports (CWR) – Regulated Gas & Electric Companies*, Docket No. E,G-999/PR-25-02, Comments of the Minnesota Energy Resources Corporation at 3 (Mar. 31, 2025) (hereinafter “MERC Comments”).

¹⁴ MERC Comments at 5.

¹⁵ MERC Comments at 4.

¹⁶ MERC, General Rules, Regulations, Terms and Conditions, Tariff Sheets Nos. 8.20, 8.21e, 8.29 - 8.31, <https://www.minnesotaenergyresources.com/company/tariffs/rules.pdf> (last accessed Apr. 14, 2025).

¹⁷ See *In the Matter of Cold Weather Rule Reports (CWR) – Regulated Gas & Electric Companies*, Docket No. E,G-999/PR-25-02, MERC February 2025 Residential Customer Status Report, Tab 5 (Mar. 19, 2025) (providing an overall average down payment amount, but not the value initially requested by MERC during negotiations).

¹⁸ MERC, *Payment Arrangements*, MINNESOTAENERGYRESOURCES.COM, <https://www.minnesotaenergyresources.com/payment-bill/arrangements> (last visited Apr. 7, 2025).

¹⁹ *Id.*

inconsistencies could result in customer confusion and reinforce the necessity of updating information on a regular basis to ensure utility policies are accurately represented.

Further, while MERC acknowledges in its comments that certain payment agreement terms may be adjusted for *extenuating* circumstances, it does not explain how the individual financial circumstances of the household are considered.²⁰ Neither does the company's "Payment Arrangements" webpage mention that these circumstances could alter the down-payment amounts typically required by the utility. Ultimately, MERC's tariffs do not fully outline its payment agreement policies and practices, and the information actually provided by the company is either incomplete or conflicting in nature.

MERC also does not provide any details in its comments about the company's disconnection practices. Its tariffs provide a high-level overview of the permissible reasons for disconnection, the notice requirements necessary prior to disconnection, the manner of disconnection when notice is required, and the fees that must be paid prior to securing reconnection.²¹ This is all valuable information, but there are likely other aspects of the disconnection and reconnection process that are not addressed in tariffs. For example, it is our understanding that some utilities, including CenterPoint and Xcel, do not subject customers to service disconnections until a minimum past-due balance accrues on the account. Similarly, Xcel engages in a nine-week communication effort to resolve customers' past-due balances prior to resorting to disconnection.²² Information about these practices is valuable for customers, stakeholders, and the Commission. Neither MERC's tariffs nor its website describe whether any of these policies are employed by the company.

Lastly, CUB and LSAP are seeking to provide customers with easy-to-understand information. In this way, presenting policies and practices on utility websites is preferable to directing customers to tariff filings. MERC's tariffs on general rules and regulations are 53 pages long and include vast amounts of legal and technical language.²³ Locating applicable tariff provisions—let alone parsing through the relevant information—is a daunting task. Hosting the requested disclosures on utility websites would provide greater clarity for customers and increase public awareness of processes that directly impact residential households.

For these reasons, we continue to recommend the Commission require all utilities to submit a compliance filing in the instant docket detailing their current policies and practices on disconnections, service deposits, and payment agreements. This information should also be posted in a conspicuous place on utility websites to ensure customers are aware of the processes employed by each respective utility. Whenever changes are implemented that affect those policies and practices, a new compliance filing should be submitted, and the website information should be updated.

²⁰ MERC Comments at 4.

²¹ MERC, General Rules, Regulations, Terms and Conditions, Tariff Sheets Nos. 8.22 - 8.34, <https://www.minnesotaenergyresources.com/company/tariffs/rules.pdf> (last accessed Apr. 14, 2025).

²² See, e.g., *In the Matter of Northern States Power Company d/b/a Xcel Energy's 2023 Annual Safety, Reliability, and Service Quality Report*, Docket No. E-002/M-24-27, Xcel Energy Comments at 2-3 (Aug. 27, 2024).

²³ MERC, Tariff and Rate Book: General Rules, Regulations, Terms and Conditions, Tariff Nos. 8.00 - 8.46, <https://www.minnesotaenergyresources.com/company/tariffs/rules.pdf> (last visited Apr. 11, 2025).

2. Customer Rights Under Minnesota Law

As detailed above, CUB and LSAP's Request No. 3 would require regulated utilities to conspicuously post information on their websites about residential Minnesotans' statutory right to affordable payment agreements that consider household financial and extenuating circumstances. MERC indicates that it provides a variation of the requested information either on its website or through annual mailings, but would post the recommended language if so ordered.²⁴

While the company includes contact information for its 24-hour customer service on its "Payment Arrangements" webpage, we were unable to locate any similar language about financial and extenuating circumstances, or about how to contact the Consumer Affairs Office. These disclosures should be easily accessible to customers when they are looking for information on payment agreements. CUB and LSAP appreciate MERC's willingness to post the recommended information, and believe that implementing Request No. 3 will increase transparency and raise awareness of customer rights and obligations.

3. Reporting Requirements

In our Initial Comments, CUB and LSAP recommended that utilities be required 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.²⁵ In response, MERC suggested that filing such information in the instant docket would be a more reasonable approach. Pursuant to the Company's recommendation, the Residential Customer Status Report template would be updated to include down payment amounts required by the utility, both as a percentage of arrears and as an average dollar value.²⁶ We agree that this is a reasonable approach, and that Docket No. E,G-999/PR-YR-02 is the appropriate venue for reporting this information.

In addition to MERC's proposed modification, we believe two minor clarifications are necessary to ensure consistency in utilities' reporting. As currently adopted, Tab 5, Column F of the Residential Customer Status Report requires utilities to not only indicate *whether* they require a down payment to restore service or start a payment arrangement, but also to *explain* the practice employed. Neither MERC nor CenterPoint provide this explanation.²⁷ Xcel also does not provide a full description of its down payment practices and instead lists the initially requested down payment amount in Tab 5, Column G.²⁸ Given the slightly different approaches for conveying this data, we believe it would be appropriate to establish a single, uniform method for filling out the report.

²⁴ MERC Comments at 6.

²⁵ CUB and LSAP Initial Comments at 8.

²⁶ MERC Comments at 8-9; Att. A.

²⁷ In its comments, MERC states that it requests a 40 percent down-payment from non-low-income customers, but this explanation is not included in Tab 5 of its Residential Customer Status Report. CenterPoint does not indicate the percentage of arrears it requests from customers when starting negotiations, either in its comments or its compliance filings.

²⁸ See *generally* Docket No. E,G-999/PR-23-2, Xcel Energy February Residential Customer Status Report Update (Mar. 27, 2025).

First, CUB and LSAP recommend that utilities be required to explain in Tab 5 of the Residential Customer Status Report their policies and practices related to down payments; service deposits; and interest, fees, or penalties paid by customers. Although the report already requests this explanation, utilities have not always provided such data. If explaining these practices in the report is not feasible—for example, due to the limited space available in the spreadsheet—utilities could include a hyperlink to where those practices and policies are hosted on their respective websites.

Second, and as mentioned above, CUB and LSAP support MERC's recommendation to include two separate columns providing information on down payments both as a percentage of arrears and as a total dollar value. These columns would report the average amount paid down by customers *after* the negotiation process. As MERC indicates, the amount requested at the beginning of negotiations is often different from the amount ultimately paid by the customer.²⁹ Xcel's reporting in Column G, however, simply lists the starting point of negotiations, without ever providing an end value, either as a percentage of arrears or as an average dollar amount.³⁰ In revising the Residential Customer Status Report as recommended by MERC, all utilities requiring down payments should report post-negotiation averages in the new Columns G and H. Information on the starting point of negotiations is more appropriately included in the utilities' explanation of their respective practices.

4. ECO Outreach

Lastly, MERC opposes CUB and LSAP's recommendation that utilities be required to include in their next annual affordability program reports a (1) description of outreach practices to low-income customers about free-and low-cost Energy Conservation and Optimization ("ECO") programs; and (2) potential methods for improving ECO outreach to affordability program participants.³¹ While we recognize MERC's concern about the potential for duplication between ECO and Gas Affordability Program ("GAP") filings,³² we respectfully disagree with the company's conclusion that this information should not be submitted to the Commission for review.

CUB and LSAP's recommendation was borne out of concerns about residential Minnesotans' ability to keep up with energy costs, as evidenced by the record number of disconnections faced by households in 2024.³³ The federal administration also recently fired 10,000 employees from the Department of Health and Humans Services, including the full staff responsible for administering the Low-Income Home Energy Assistance Program ("LIHEAP").³⁴ Together with the attempted rollback of Inflation Reduction Act funding and the imposition of tariffs across all sectors of the economy, these actions will contribute to additional energy affordability challenges both in Minnesota and across the country. Increasing the accessibility of low-income ECO offerings—and facilitating greater awareness of those

²⁹ MERC Comments at 9 (noting that, even though the company asks for 40 percent down from non-low-income customers during non-CWR months, customers averaged a 34.75 percent down payment).

³⁰ See *generally* Docket No. E,G-999/PR-23-2, Xcel Energy Residential Customer Status Reports.

³¹ MERC Comments at 9-10; CUB and LSAP Initial Comments at 7.

³² MERC Comments at 10.

³³ See CUB and LSAP Initial Comments at 2 (explaining that over 91,000 residential customers were involuntarily disconnected from service by regulated utilities in 2024).

³⁴ Brad Plumer, *Entire Staff Is Fired at Office That Helps Poorer Americans Pay for Heating*, NEW YORK TIMES (Apr. 2, 2025).

programs by affordability program participants—will make it easier for struggling households to apprise themselves of assistance resources.

Utilities are already required to annually report on coordination between affordability programs and “other available low-income bill payment assistance and conservation resources.”³⁵ We see our recommendation as an outgrowth of this requirement. Several utilities, including CenterPoint, Great Plains, Minnesota Power, and Xcel provide some level of information about ECO outreach in their respective affordability program filings.³⁶ MERC also briefly mentions that its representatives refer GAP participants to income-limited ECO programs.³⁷ We appreciate these efforts, but believe further elaboration on program coordination is warranted. Many of the references contained in annual affordability program reports are cursory in nature, and do not consider the effectiveness of coordinated outreach or what could be done to improve customer enrollment. For example, we applaud MERC for engaging with implementation partners, Community Action Program agencies, service providers, local governments, community organizations, and other utilities when conducting outreach to low-income Minnesotans.³⁸ While this information was not included in MERC’s annual GAP report, additional details about these partnerships and promotions could prove useful in shaping the discussion around increasing low-income ECO participation.

For these reasons, CUB and LSAP continue to recommend that information on ECO coordination be included in utilities’ annual affordability program reports. There is a substantial need to connect low-income Minnesotans with assistance resources, and identifying pathways for improving outreach effectiveness is an essential step towards increasing the affordability of utility service.

D. Greater Minnesota Gas

Greater Minnesota Gas did not submit comments in the instant docket responsive to the recommendations set forth by CUB and LSAP. Notably, the company has not filed any updates in Docket No. E,G-999/PR-YR-02 since it submitted its fourth quarter 2023 Residential Customer Status Reports on February 5, 2024.³⁹ In other words, no data was submitted to the Commission regarding disconnections, arrearages, or payment agreements for the entirety of 2024. This prevents the Commission and stakeholders from understanding or addressing the challenges faced by the company’s residential customers.

³⁵ Minn. Stat. § 216B.16, Subd. 15.

³⁶ See *In the Matter of the Petition for Approval of Great Plains Natural Gas Company's Annual Gas Affordability Program Report*, Docket No. G-004/M-25-37, Great Plains 2024 GAP Annual Report at 14-15 (Mar. 31, 2025); *In the Matter of Periodic Gas Affordability Program Evaluation Reports for CenterPoint Energy*, Docket No. G-008/M-19-367, Quarterly Reporting on Outreach Activities at 3-4 (Feb. 28, 2025); *In the Matter of Minnesota Power's Petition for Approval of a Rider for Customer Affordability of Residential Electricity (CARE)*, Docket No. E-015/M-11-409, 2024 Annual CARE Report at 9, 22 (Mar. 3, 2025); *In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of a Modification to the Company's Low-Income Discount Program*, Docket No. E-002/M-04-1956, 2023-2024 Annual PowerOn Report at 19 (Dec. 2, 2024).

³⁷ *In the Matter of the Minnesota Energy Resources Corporation's Gas Affordability Program 2024 Annual Report*, Docket No. G-011/M-25-39, MERC 2024 Annual GAP Report at 12 (Mar. 31, 2025).

³⁸ MERC Comments at 10.

³⁹ See generally Docket No. E,G-999/PR-23-2, Greater Minnesota Gas October – December 2023 Residential Customer Status Reports (Feb. 5, 2024).

Under Minnesota statute, Greater Minnesota Gas is required to file monthly reports on residential customers as well as to report the number of disconnections and reconnections carried out each week during the Cold Weather Rule period.⁴⁰ In failing to report any information for over a year, the company has recurrently violated Minnesota law.⁴¹ Each violation of the company's statutory obligations is subject to potential legal action and the assessment of penalties against the utility.⁴²

We respectfully request the Commission refer this matter to the Office of the Attorney General for appropriate legal action.⁴³ We further recommend that Greater Minnesota Gas be ordered to submit Residential Customer Status Reports and weekly Cold Weather Rule filings in Docket No. E,G-999/PR-YR-02.

III. Conclusion

CUB and LSAP appreciate the utilities' general receptiveness to our positions and urge the Commission to adopt the following recommendations, as modified from our initial comments:

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,G-999/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].

⁴⁰ See Minn. Stat. §§ 216B.091, 216B.096, Subd. 11.

⁴¹ The 40 statutory violations include 14 separate instances of failing to report monthly data required by Minn. Stat. § 216B.091, as well as 26 violations of Minn. Stat. § 216B.096, Subd. 11 extending from October 15 (the first date upon which weekly CWR reports are required under statute) through the date of this filing.

⁴² See, e.g. Minn. Stats. §§ 216B.54, 216B.57 – 216B.61.

⁴³ See Minn. Stat. §§ 216B.54, 216B.64 (detailing the role of the Office of the Attorney General in leading actions against utilities for statutory violations).

- 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.
4. Require regulated utilities to detail in their ~~next annual safety, reliability and service quality reports~~ **Residential Customer Status 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. **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.**
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.

Sincerely,

April 18, 2025

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