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November 17, 2025

Ms. Sasha Bergman  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

**Re: *In re Application of Otter Tail Power Co. for Authority to Increase Rates for Electric Service in Minnesota***  
**MPUC Docket: E-017/GR-25-359**

Dear Ms. Bergman:

The Office of the Attorney General – Residential Utilities Division (OAG) respectfully submits these Reply Comments in response to the initial comments of the Minnesota Department of Commerce (Department) and the Citizens Utility Board of Minnesota (CUB).

The OAG recommended in initial comments that the Commission reduce Otter Tail’s proposed interim-rate increase by \$3.2 million to remove incremental depreciation expense related to Otter Tail’s planned early exit from the Coyote Station power plant. The basis for that recommendation was the statutory requirement that the interim-rate schedule can only include “rate base or expense items the same in nature and kind as those allowed by a currently effective order of the commission in the utility’s most recent rate proceeding.”<sup>1</sup> The OAG’s initial comments also noted that the significant economic uncertainty ratepayers are currently facing may provide a basis for an exigent-circumstances finding and a further reduction in the interim increase.<sup>2</sup> In particular, the OAG observed that federal food and energy assistance had been delayed for many Minnesotans because of the federal government shutdown. While the shutdown has ended, energy assistance may take until December or January to reach Minnesotans.<sup>3</sup>

The Department and CUB cite additional facts that give rise to exigent circumstances and support moderating the interim-rate increase in this case. The Department cites four: (1) the

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<sup>1</sup> Minn. Stat. § 216B.16, subd. 3(b).

<sup>2</sup> See OAG Initial Comments at 1 n.3 (Nov. 10, 2025).

<sup>3</sup> See Jeremy Herb et al., *The Government Shutdown Is Over, but Things Are Not Back to Normal*, CNN, <https://www.cnn.com/2025/11/13/politics/government-shutdown-ends-federal-workers-return> (Nov. 13, 2025) (stating that it typically takes 30 days for the U.S. Department of Health and Human Services to calculate states’ LIHEAP allocations and get money out the door), attached as Exhibit A; see also Aaron Brown, *Even with Shutdown’s End, Minnesota Faces Cold Reality of Energy Aid Delays*, Star Tribune, <https://www.startribune.com/rural-minnesota-low-income-energy-aid-heating/601524408> (Nov. 17, 2025) (stating that “[u]nder the best-case scenario, funding delays will be worked out by mid-December”), attached as Exhibit B.

shutdown, including the possibility that the government may shut down again in late January; (2) the expiration of subsidies for health insurance plans purchased through Affordable Care Act exchanges; (3) deterioration of the labor market; and (4) inflation driven by tariffs on imports.<sup>4</sup> CUB primarily cites the government shutdown and points to specific ways in which impacts on federal services will continue even after the government reopens, including: (1) threats by the administration to withhold backpay from federal employees who worked during the shutdown; (2) backlogs in federal disability claims; (3) delays in heating assistance because of the shutdown and the firing of program-administration staff earlier this year; (4) the administration's stated intent to eliminate heating assistance entirely; (5) elevated health-insurance premiums for 2026; and (6) the shutdown's harm to the broader economy.<sup>5</sup>

Considering these circumstances, the Department recommends that the Commission reduce Otter Tail's proposed residential-class interim increase by half, or \$4.0 million.<sup>6</sup> CUB, meanwhile, recommends that the Commission set the overall interim increase at no more than 50 percent of Otter Tail's request.<sup>7</sup> CUB's recommendation would result in an approximately \$16 million reduction in Otter Tail's proposed increase, with the reduction distributed evenly across all classes.

The OAG agrees with the Department and CUB that exigent circumstances exist to moderate Otter Tail's interim rate increase. And the OAG believes that a case can be made for either the Department's recommended reduction of 50 percent of the residential increase or CUB's recommended reduction of 50 percent of the overall proposed interim increase.<sup>8</sup> Whatever approach the Commission takes to address exigent circumstances, it should first require Otter Tail to make the OAG's recommended \$3.2 million adjustment to the overall increase. This adjustment is required by the interim-rate statute, is not dependent on exigent circumstances, and should be made before any further reduction to address exigent circumstances.

Sincerely,

/s/ **Peter G. Scholtz**

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<sup>4</sup> Department Initial Comments at 5–6 (Nov. 10, 2025).

<sup>5</sup> CUB Initial Comments at 3–5 (Nov. 10, 2025).

<sup>6</sup> Department Initial Comments at 6.









<sup>7</sup> CUB Initial Comments at 5–6.

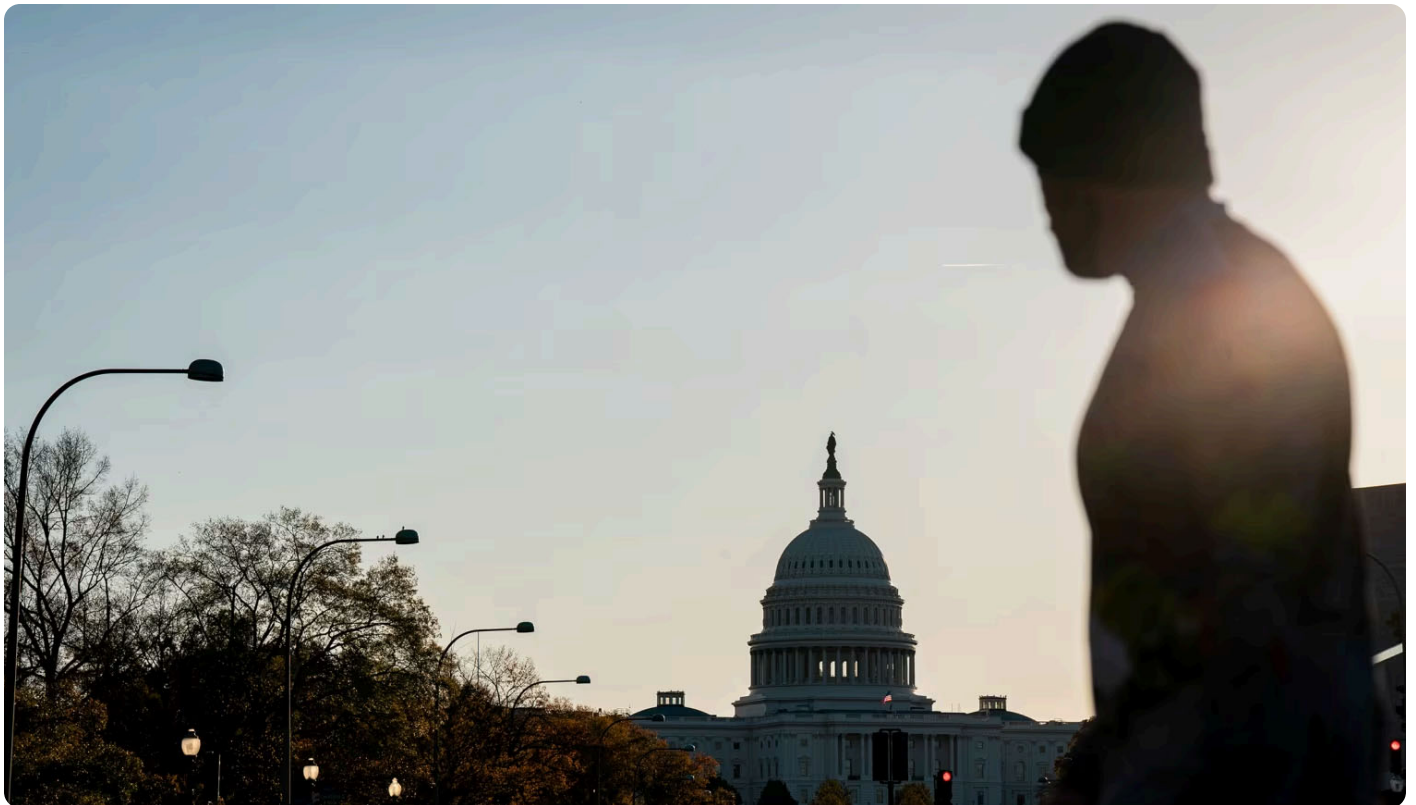
<sup>8</sup> See *In re App. of Minn. Power*, 838 N.W.2d 747, 761–63 (Minn. 2013) (according the Commission discretion in setting an appropriate interim rate under exigent circumstances).

POLITICS • 10 MIN READ

# The government shutdown is over, but things are not back to normal

UPDATED NOV 13, 2025

By  [Jeremy Herb](#),  [Tami Luhby](#),  [Sunlen Serfaty](#),  [René Marsh](#),  [Alexandra Skores](#),  
 [Ella Nilsen](#),  [Marshall Cohen](#),  [Bryan Mena](#)



The US Capitol in Washington, DC, on Wednesday. *(Al Drago/Bloomberg/Getty Images)*



The government shutdown is over. But hundreds of thousands of federal workers are coming back after 43 days to anything but normalcy, employees from across the country told CNN.

up. Workers who haven't received a paycheck in weeks will still have to wait for back pay. Research grants will be delayed. Economic reports are likely to be scrapped. Six weeks of email and voicemails will have to be waded through.

And in three months, they may have to contend with turbulence all over again: The agreement President Donald Trump signed into law Wednesday evening funds most of the government only through January.

"There's no back to normal in this deal because all it does it kick the can until January 30," said Max Stier, president and CEO of Partnership for Public Service, a nonpartisan nonprofit government organization.

"It's a little like the federal workforce is going to return to their house after a hurricane and there's another storm on the horizon."

Federal workers said that the shutdown has been an exclamation point on top of months of chaos as the Trump administration has slashed jobs and, in some cases, entire agencies since the president took office in January. The administration **sought to fire** more federal workers when the shutdown hit, but the short-term funding deal halted those dismissals until the end of January.

"It's going to be stressful for everybody," said Yolanda Jacobs, president of the American Federation of Government Employees Local 2883 and a Centers for Disease Control and Prevention employee. "We can only begin to imagine how difficult it's going to be get everything functioning again, especially since we were already limping along in a lot of ways before the shutdown happened."

for months or even years to come at the nation's airports. Meanwhile, those receiving government assistance like food stamps are eagerly awaiting the government to finally get funds out the door.



Commuters at Metro Center metro station in Washington, DC, on October 1, 2025. *(Pete Kiehart/Bloomberg/Getty Images)*

## A slew of backlogs

Federal workers back on the clock Thursday will need to assess how to address more than six weeks of backlogs. Federal employees not deemed essential were furloughed throughout the shutdown.

From food safety and NASA to education and the national parks, federal workforces were already short-staffed following widespread cuts from

to dig out from the under the shutdown.

“This moment is going to look very different than in 2019 (after the last government shutdown) when these offices were fully staffed,” said an Education Department employee.

A second Education employee told CNN that they were told only check their emails at approved times to look for “reduction in force” layoff notices — and to make sure their computers didn’t lock down after 30 days.

It was “heart wrenching” to see the emails piling up, the person said, including with desperate pleas from parents of disabled children who filed discrimination cases with the department’s Office for Civil Rights. Another Education official estimated that, during the shutdown, there were more than 2,000 complaints filed with the office, which handles allegations of discrimination against students with disabilities.

It will take days to get labs used to test food and prevent food-borne illnesses at the Food and Drug Administration back to full capacity at the agency’s testing labs, said one worker at the agency’s Human Foods Program.

Besides having to catch up on equipment maintenance and quality checks, “it will take time to restart research along with broader policy planning,” the worker said.

And at the Internal Revenue Service, backlogs in tax filings from those who filed for extensions will take “two to three months to catch up,” said Gibson Jones, president of the National Treasury Employees Union Local 98 in Memphis. “You’re talking about more than 40 days of mail that no one touched. People who are expecting money back will also see a delay in processing those tax refunds.”





A vehicle passes trash seen strewn along the road at Joshua Tree National Park in California, on October 10, 2025. *(Frederic J. Brown/AFP/Getty Images)*



Trash cans are kept clean in Yosemite Valley at Yosemite National Park, California, on October 25, 2025. (Frederic J. Brown/AFP/Getty Images)

A big focus at the National Park Service will be assessing any damage that occurred to parks during the shutdown, said Kristen Brengel, senior vice president of government affairs at the National Parks Conservation Association.

Many parks had law enforcement staffing during the shutdown, but there have been reports of graffiti and off-road vehicle damage in parks like Arches and Glen Canyon, as well as reports of illegal activities like base-jumping and flying drones in Yosemite, Brengel said. But there was a surge of volunteer support during the shutdown, she said, and many parks paid for custodial services like garbage removal with fee money — or volunteer groups stepped in to help.



unsustainable and everyone knows it.

At NASA's iconic Goddard Space Flight Center's main campus in Greenbelt, Maryland - home of the Hubble and James Webb space telescopes - employees were alarmed as more than a dozen buildings on the campus were emptied and padlocked, with very little notice given, **CNN recently reported**.

Some of the sources CNN recently spoke to said they fear the sudden moves are part of an effort by the Trump administration to quietly gut the Goddard campus during the shutdown — a claim a NASA spokesperson denied.

“There will be many people who have no idea that this facility closure situation is going on,” a NASA engineer said. “I expect that will be a pretty crazy situation on top of just coming back.”



TSA agents take a break near an American flag at Ronald Reagan Washington National Airport in Arlington, Virginia, on November 10, 2025. (Andrew Caballero-Reynolds/AFP/Getty Images)

## When will employees receive back pay?

When the roughly 1.4 million federal workers who have been furloughed or working without pay will receive their back pay may vary by agency. Many have missed two full paychecks and a partial one during the shutdown.

In the past, it only took a few business days for workers to be paid, said Jacqueline Simon, policy director at the American Federation of Government Employees. But she was concerned that this year it could take longer because many human resources staffers at agencies were furloughed or have left amid the administration's downsizing efforts.

time since the government uses multiple pay systems, said Peter Orszag, former director of the Congressional Budget Office and a senior advisor to the Partnership for Public Service.

“It’s a huge undertaking on top of a lot of other things that the federal employees are going to have to be doing,” he said, though it should take a matter of days, not weeks.

But “until we get paid, everyone’s going to still have those same financial stressors on them,” said Ben Emmel, who represents 2,400 Government Accountability Office employees as president of the International Federation of Professional & Technical Engineers Local 1921.



The plane flies by the Washington Monument in Washington, DC, on November 9, 2025. (Anna Rose Layden/Getty Images)

## Effects on air travel could linger for years

well beyond the reopening of the government.

The US air traffic control system is more than 3,000 controllers short of what's needed to fully staff towers and other facilities that guide planes throughout the country. The current workforce of 14,000 controllers not only had to deal with the regular staffing shortages but also more coworkers not showing up during the shutdown, all while not getting paid.

All this put young controllers in a “very difficult position” during the shutdown, leading some to quit, Transportation Secretary Sean Duffy told reporters this week, while some older controllers chose to simply retire.

Fifteen to 20 retirement-aged controllers have left per day, Duffy said, up from four in a typical day.

In May, the Department of Transportation said it would replace the decades-old Federal Aviation Administration infrastructure with a new air traffic control system for \$31.5 billion, but the shutdown could hurt that effort as well.

At a Wednesday press conference at Chicago's O'Hare International Airport, Duffy said the software and upgrades the new system requires “would take longer than the three-year period,” originally promised.





A woman checks her balance left after purchasing food supplies with a California EBT card in Los Angeles, on October 31, 2025. (Damian Dovarganes/AP)

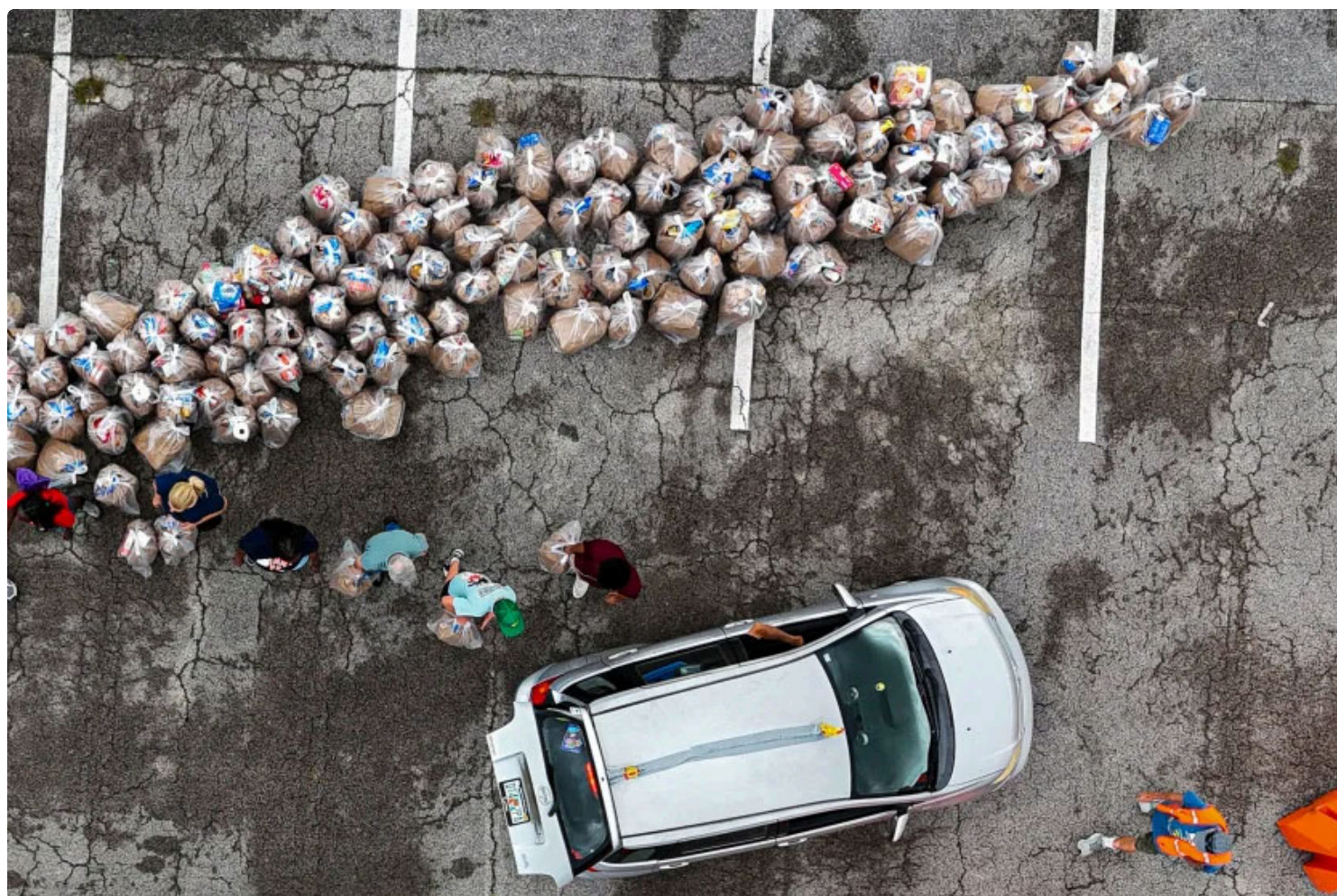
## When will safety net programs be funded?

The shutdown wreaked havoc on the nation's safety net programs, most notably food stamps relied upon by nearly 42 million Americans to feed themselves and their families.

Just when enrollees in the Supplemental Nutrition Assistance Program, or SNAP, will receive their full benefits for November will depend on where they live. More than a dozen states started issuing full allotments to residents last week before the Supreme Court paused a court order requiring full funding for the program. Several other states began sending partial benefits last week based on an earlier court order. Other states have not yet distributed any of this month's aid.

within three days, said Lexie Kuzner, director of policy and government relations for the American Public Human Services Association, which represents state, county and city agencies. Some, however, could take up to a week to do so.

The spending agreement signed into law takes the threat of another lapse of SNAP off the table in January when another shutdown could occur: The bill funded several agencies, including the US Department of Agriculture, which administers SNAP, for the entire fiscal year.



People line up in their cars during a free food distribution for SNAP recipients, organized by the Volusia County Sheriff's Office and The Jewish Federation at the Daytona International Speedway in Daytona Beach, Florida, on November 9, 2025. *(Miguel J. Rodriguez Carillo/AFP/Getty Images)*





Volunteers load boxes of food into cars during an event held by the Community FoodBank of New Jersey, in Leonia, New Jersey, on November 6, 2025. *(Mike Segar/Reuters)*

However, the Low Income Home Energy Assistance Program, or LIHEAP, and Head Start could take longer to restart. They are run by the Department of Health and Human Services.

It typically takes at least 30 days for the HHS to calculate states' allocations and get the money out the door for LIHEAP, said Mark Wolfe, executive director of the National Energy Assistance Directors Association. And he fears it will take even longer this year since **HHS laid off its LIHEAP staff** in the spring.

Federal grants for the roughly 140 Head Start programs – serving more than 65,000 children and families – that were affected by the shutdown could take

NATIONAL HEAD START ASSOCIATION.

The funding lapse forced 20 programs in 17 states and Puerto Rico to close. Other programs have been able to maintain their operations thanks for local and philanthropic support.

Asked about the timeline for getting funds to LIHEAP and Head Start programs, an HHS spokesperson said that the agency will “work swiftly” to administer LIHEAP annual awards. Head Start recipients can expect to receive communications that will include a timeline for the release of federal funds.

## **Economics reports delayed**

Economic data released by the government — which is used by business leaders and the Federal Reserve to assess the state of the US economy — has been suspended throughout the shutdown.

Monthly employment reports for September and October haven’t been released, and neither has the first estimate of third-quarter gross domestic product, which captures all the goods and services produced in the economy.

Once the government reopens, statistical agencies such as the Bureau of Labor Statistics and the Bureau of Economic Analysis will release updated schedules on data releases.

But this is the first time there have been two delayed jobs reports. And it’s likely that October’s report will never be released, as data for the month was not collected, White House Press Secretary Karoline Leavitt said Wednesday.

“All of that economic data released will be permanently impaired, leaving our policymakers at the Fed flying blind at a critical period,” Leavitt told





A commuter crosses the street near the Federal Aviation Administration headquarters on October 1, 2025. (Al Drago/Getty Images)

## Headed for the exit?

Caitlin Lewis, who runs **CivicMatch**, which connects federal employees with jobs in state or local governments, said the shutdown has pushed many federal workers to the exits.

There was a 74% spike in federal workers signing up for the platform during the first five weeks of the shutdown, she said, compared to the five weeks before the shutdown. Last week was one of the platform's busiest weeks in months.

“People want to stick it out as long as they can. But this is the latest in a deep cycle of instability that is pushing public servants out of the government since the inauguration,” Lewis said.

When the last government shutdown ended in 2019, a USDA employee returned to find dozens of emails from state agencies with policy questions, which gave her a newfound appreciation for her work and how much she is needed.

But the stress of this year’s record-long impasse has forced her to start looking for other jobs.

“This has been the worst six weeks that I can remember,” said the staffer, who had planned a career with the government. “I cannot afford to go through this again, mentally or financially.”

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CNN’s Brian Todd and Curt Devine contributed to this report.



## Up next



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## COLUMNISTS

## *Brown: Even with shutdown's end, Minnesota faces cold reality of energy aid delays*

Backlogs threaten the timely distribution of assistance that can make a huge difference, even if relied upon just once.



**By Aaron Brown**

The Minnesota Star Tribune

NOVEMBER 17, 2025 AT 4:59AM



A school bus travels down slushy County Rd. 49 near Canyon, Minn. on Oct. 5, 2018. (BRIAN PETERSON)

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My mom and dad never wanted to accept any charity. Mom thought other people should get it and, at the time, Dad wasn't sure anyone should.

In the 1980s, when the mines on the Iron Range were all closed, our family's junkyard business was failing. One year, we only made a few thousand dollars. It was around this time one of my stuffed animals froze to the metal wall of our trailer on a cold winter morning.



We ended up on energy assistance that year.

Ronald Reagan was president, a staunch small-government conservative, and yet the process worked. Federal money went to the state, then to a local agency serving our area. We survived a tough winter and never needed benefits again. This year, however, families in similar conditions might not have access to home energy assistance programs because of uncertainty over federal funding.

It's true, Congress passed a resolution funding the government through January last week, signed by President Donald Trump. This will release funds for federal programs like the Low Income Home Energy Assistance Program (LIHEAP), which last year helped heat almost 6 million homes in the U.S., more than 120,000 here in Minnesota.

But the 43-day-long shutdown created an enormous backlog in a program that had seen significant layoffs during the administration's federal staff reductions earlier this year.

Maggie Schuppert is the director of strategic initiatives at CURE-MN, a rural environmental and economic advocacy organization. She said it could be December or even January before people start receiving the funds.

"That's through the holiday season in the depths of winter," said Schuppert. "It's really scary to think about."

Low-income energy assistance is allocated by the federal government to the states. States then coordinate with local agencies, nonprofits and tribal governments that collect applications to distribute funds. Today, local organizations are helping people prepare contingencies.

At West Central Minnesota Communities Action in Elbow Lake, program director Andrea Goeden said more than 3,100 applications already have been received since Oct. 1 for the energy assistance program from the seven rural counties covered. Normally, she said, the state distributes funds around Thanksgiving, but she expects significant delays because of the shutdown. Her own staff could be temporarily laid off if the funds don't arrive in the next couple weeks.

The confusion deeply affects people in need.

"There's a lot of uncertainty voiced from those individuals and families who are already facing an economic injustice," said Goeden. "A lot of senior citizens, after their Social Security check, they might have about \$100 left, which is already covering SNAP funds they didn't receive and then trying to pay the electric bill, and we all see those costs increasing every day."

Goeden is advising clients about other options. Minnesota has a cold weather shut-off law that prevents utilities from cutting off electricity or natural gas if customers can establish a payment plan for unpaid bills. However, this does not apply to households that use fuel oil or propane heat, which are common in rural areas.

The “Reach Out for Warmth” program is available as a backup but depends upon donations. Goeden said that in her area churches and civic organizations help fill the coffers but that the fund can’t cover the coming shortfall for long. These funds are locally managed around the state and vary in size.

Schuppert’s organization, CURE-MN, is calling on Gov. Tim Walz to allocate emergency funding to cover low-income heating assistance until federal funds arrive. Schuppert argues that utility and energy companies can do more to keep rates lower and help those in need.

“These are life-and-death circumstances for a lot of people,” said Schuppert. “The fact that it’s even this much of a discussion and this much wrangling over this right now is a really unfortunate indicator of the times we’re in.”

Under the best-case scenario, funding delays will be worked out by mid-December. But we’re about to find out what the Trump administration’s staff reductions did to the operational capacity of federal programs like LIHEAP. Meantime, costs continue to rise while Americans continue to lose economic optimism.

Poverty is a failure of conditions, not morality. We will always need a safety net. My family’s experiences prove that such a net helps people move forward to better times. If we want benefits to remain temporary, we must address systemic and economic problems at the root of the issue. That’s where we should transfer the heat of this debate.

There is no excuse for people to suffer or even freeze to death in a wealthy nation like ours. Minnesota can’t avoid being cold, but we must never be heartless.

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#### ✦ ABOUT THE WRITER

##### Aaron Brown

EDITORIAL COLUMNIST

Aaron Brown is a columnist for the Minnesota Star Tribune Editorial Board. He’s based on the Iron Range but focuses on the affairs of the entire state.

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##### COLUMNISTS

*Brown: Even with shutdown’s end, Minnesota faces cold reality of energy aid delays*



Aaron Brown



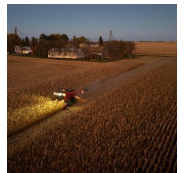
BRIAN PETERSON

Backlogs threaten the timely distribution of assistance that can make a huge difference, even if relied upon just once.

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## CERTIFICATE OF SERVICE

**Re:   *In re Application of Otter Tail Power Co. for Authority to Increase Rates for  
Electric Service in Minnesota***  
**MPUC Docket: E-017/GR-25-359**

I, JUDY SIGAL, hereby certify that on the 17th day of November, 2025, I e-filed with eDockets *Reply Comments of the Office of the Attorney General—Residential Utilities Division*, and served a true and correct copy of the same upon all parties listed on the attached Service List by e-mail, electronic submission and/or United States Mail with postage prepaid, and deposited the same in a U.S. Post Office mail receptacle in the City of St. Paul, Minnesota.

*s/ Judy Sigal*  
JUDY SIGAL



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27	Joseph	Meyer	joseph.meyer@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	Bremer Tower, Suite 1400 445 Minnesota Street St Paul MN, 55101-2131 United States	Electronic Service		No	GR-25-359

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29	Andrew	Moratzka	andrew.moratzka@stoel.com	Stoel Rives LLP		33 South Sixth St Ste 4200 Minneapolis MN, 55402 United States	Electronic Service		No	GR-25-359
30	Matthew	Olsen	molsen@otpc.com	Otter Tail Power Company		215 South Cascade Street Fergus Falls MN, 56537 United States	Electronic Service		No	GR-25-359
31	Marcia	Podratz	mpodratz@mnpower.com	Minnesota Power		30 W Superior S Duluth MN, 55802 United States	Electronic Service		No	GR-25-359
32	David G.	Prazak	dprazak@otpc.com	Otter Tail Power Company		P.O. Box 496 215 South Cascade Street Fergus Falls MN, 56538-0496 United States	Electronic Service		No	GR-25-359
33	Rate Case Inbox	Rate Case Inbox	mnratescase@otpc.com	Otter Tail		null null, null United States	Electronic Service		No	GR-25-359
34	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	GR-25-359
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