

The Commission met on **Thursday, May 18, 2017**, with Chair Lange, and Commissioners Lipschultz, Schuerger, Sieben, and Tuma present.

The following matters were taken up by the Commission:

ENERGY AGENDA (PART 1)

E-131,231/SA-17-205

In the Matter of the Joint Request of PKM Electric Cooperative, Inc. and the Water, Light, Power, and Building Commission of and for the City of East Grand Forks to Modify Electric Services Territory Boundaries

Commissioner Schuerger moved to take the following actions:

1. Approve the requested service territory transfer from PKM Electric Cooperative to the Water, Light, Power and Building Commission of and for the City of East Grand Forks; and
2. Update the Commission's maps by having the Minnesota Geospatial Information Office reflect the service area designations as shown on the map in the Agreement.

The motion passed 5-0.

E-143,315/SA-17-222

IN the Matter of the Joint Request of the City of Staples and Todd Wadena Electric Cooperative to Modify Electric Service Territory Boundaries

Commissioner Tuma moved to take the following actions:

1. Approve the requested service territory transfer from Todd Wadena Electric Cooperative to the City of Staples, operating a municipal utility;
2. Update the Commission's maps by having the Minnesota Geospatial Information Office reflect the service area designations as shown on the maps in the Petition;
3. Within 14 days of May 18, 2017, the parties shall notify the affected customers by mail of the agreement to transfer their electric service, the effect on each specific customer separately and a contact information for each of the utilities. Each notice shall contain a statement that the customer may contact the Commission to file a complaint with the contact information; and

4. Within 30 days after the Order, the parties shall make a compliance filing affirming that the letters have been sent, provide a description of any complaints from customers and what the parties have done with regards to those complaints, if any, at the time of the compliance filing.

The motion passed 5-0.

E-111/M-17-207

In the Matter of a Petition to Implement an Optional Communication Fee for Schedules 46 and 54

Commissioner Lipschultz moved to take the following actions:

1. Approve Dakota Electric Association's proposal to implement an Optional Communication Fee for Schedules 46 and 54 customers; and
2. Require Dakota Electric Association to add the following language to the MSD and LLHLF Riders:

A monthly Communication Fee of \$8.70 per meter will be charged for digital cellular modem communication.

The motion passed 5-0.

ENERGY FACILITIES PERMITTING AGENDA

PL-9/CN-14-916

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

PL-9/PPL-15-137

In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border

Commissioner Sieben moved to take the following actions:

1. Grant the Department of Commerce Division of Energy Resources the authority to obtain specialized technical professional investigative services pursuant to Minn. Stat. § 216B.62, subd. 8; and

2. Deny Honor the Earth's motion for reconsideration.

The motion passed 5-0.

ENERGY AGENDA (PART 2)

E,G-999/CI-12-1344

In the Matter of a Commission Inquiry into the Privacy Policies of Rate-Regulated Utilities

Commissioner Lipschultz moved to take the following actions:

1. Approve the Colorado consent form (Attachment BP-1), with all the modifications recommended by the Department of Commerce in its February 22, 2017 filing, as a model for use in Minnesota, and require all rate regulated utilities to make the form available, on line and in hard copy, to retail customers;
2. Allow utilities to develop and use alternative consent forms, but require that any such alternative forms be consistent with the Colorado form and submitted to the Commission for approval as a compliance filing in this docket;
3. Add the following language to the model consent form:

Please be advised that you may not be able to control the use or misuse of your data once it is released.
4. Utilities may use the consent forms they are currently using for a period of up to 90 days following the date of the Commission order.
5. Each utility, at its discretion, may post to its web site a Commission-approved consent form that enables customers to securely fill in, sign and submit the form via the web site. The Electronic form must be consistent with the hard copy form;
6. Utilities shall make their consent forms available in English and, on a utility-specific basis, in any other language the utility or Commission determines appropriate for that utility based on the demographics and English language proficiency in the utility's service area. Delegate to the Executive Secretary the discretion to make the Colorado consent form available in other languages as requested;
7. Require utilities to honor valid CEUD requests from third parties only to the extent the third parties use Commission-approved consent forms provided by the utility.

The motion passed 5-0.

TELECOMMUNICATIONS AGENDA

P-5733, et al./PA-16-1062

In the Matter of the Joint Application of CenturyLink, Inc. and Level 3 Communications, Inc. for Approval of a Transfer of Control and Related Transactions

Commissioner Lipschultz moved that the Commission approve the transfer of control of Level 3 Communications, LLC (Level 3); Broadwing Communications, LLC; Global Crossing Local Services, Inc.; Global Crossing Telecommunications, Inc.; WilTel Communications LLC; and Level 3 Telecom of Minnesota, LLC from Level 3 to CenturyLink, Inc., recognizing the following:

1. The proposed transaction will have no impact on Commission authority. Each operating company will operate under existing certificates of authority and the combined company will continue to make the required jurisdictional annual and other regulatory reports.
2. No tariff changes are expected at this time since the rates, terms, and conditions of services currently provided by the Level 3 Companies to their customers will not change as a result of the Transaction.
3. The Transaction is expected to be transparent to customers as it will not involve the transfer of customers. Although no requirement exists to notify customers, the Applicants agree to provide customer notice consistent with any process ordered by the Commission.
4. Applicants agree to file a notice of closing within 20 days of the completion of the transaction.

The motion passed 5-0

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: May 31, 2017



Daniel P. Wolf, Executive Secretary