

September 24, 2021

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

RE: **Comments of the Minnesota Commerce Department, Division of Energy Resources**
Docket No. E002/CN-08-510

Dear Mr. Seuffert:

On May 28, 2021 comments were filed by the Minnesota Commerce Department, Division of Energy Resources (DOC-DER) regarding Northern States Power Company, doing business as Xcel Energy's (Xcel) *Request for Change in Spent-Fuel Storage Technology*. The DOC-DER comments recommended the Minnesota Public Utilities Commission (Commission) require Xcel to make a compliance filing which would include a requirement for a report from an independent auditor. On June 17, 2021 Xcel filed reply comments agreeing with the DOC-DER's recommendation except the independent auditor report. Xcel stated that

For a procurement of this type, where Xcel Energy is not bidding, we would not use an independent auditor... the RFP would simply be run by an internal team of Xcel Energy employees with specific knowledge about the Prairie Island nuclear plant, spent fuel, and cask technology, who would evaluate bids from third parties.

...

Because we will not be bidding, there is no conflict of interest and no reason to engage an independent auditor to perform this review.

After reviewing Xcel's reply comments the Department generally agrees with the Company's reply regarding the data to be included in the compliance filing. Thus, DOC-DER revises the original recommendation as follows.

DOC-DER also recommends the Commission require the following types of information be included in the Company's filing reporting the results of the bidding process:

- a. a copy of the request for proposals (RFP);
- ~~b. a copy of an independent auditor's report regarding the RFP process;~~
- c. information regarding how the RFP was advertised;
- d. a statement of the evaluation criteria used by the Company;
- e. an overview of each proposal received in response to the RFP—at a minimum the overview should include:
 - a cost estimate; and
 - how the casks will facilitate transportation out of state to a permanent or interim storage facility as soon as feasible;
- f. the Company's evaluation of each proposal; and
- g. the Company's ultimate determination regarding the RFP and resulting proposals.

September 24, 2021

Page 2

DOC-DER continues to recommend that the Commission **approve the petition with conditions as revised above**.
The DOC-DER is available to answer any questions that the Commission may have in this matter.

Sincerely,

/s/ STEVE RAKOW
Analyst Coordinator

SR/ar

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
Letter**

Docket No. E002/CN-08-510

Dated this 24th day of September 2021

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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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_8-510_Official Service List
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