



414 Nicollet Mall
Minneapolis, MN 55401

February 25, 2015

—Via Electronic Filing—

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: PETITION FOR CLARIFICATION
COMPETITIVE RESOURCE ACQUISITION
DOCKET NOS. E002/CN-12-1240, E002/M-14-788, E002/M-14-789

Dear Mr. Wolf:

Northern States Power Company, doing business as Xcel Energy, respectfully submits this petition for clarification of the Minnesota Public Utilities Commission's February 5, 2015 Order Approving Power Purchase Agreement with Calpine, Approving Power Purchase Agreement with Geronimo, and Approving Price Terms with Xcel.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service list. Please feel free to contact me at Aakash.chandarana@xcelenergy.com or 612-215-4663 if you have any questions regarding this filing.

Sincerely,

/s/

AAKASH CHANDARANA
REGIONAL VICE PRESIDENT
RATES AND REGULATORY AFFAIRS

Enclosure
c: Service List

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
Nancy Lange
Dan Lipschultz
John Tuma
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

IN THE MATTER OF THE PETITION OF
NORTHERN STATES POWER COMPANY
D/B/A XCEL ENERGY FOR APPROVAL OF
COMPETITIVE RESOURCE ACQUISITION
PROPOSAL AND CERTIFICATE OF NEED

DOCKET NO. E002/CN-12-1240

IN THE MATTER OF A DRAFT PURCHASE
POWER AGREEMENT WITH GERONIMO
WIND ENERGY, LLC, D/B/A GERONIMO
ENERGY, LLC

DOCKET NO. E002/M-14-788

IN THE MATTER OF DRAFT PURCHASE
POWER AGREEMENTS WITH CALPINE
CORPORATION AND INVENERGY
THERMAL DEVELOPMENT, AND
PROPOSED PRICE TERMS FOR BLACK
DOG UNIT 6

DOCKET NO. E002/M-14-789

PETITION FOR CLARIFICATION

INTRODUCTION

Northern States Power Company, doing business as Xcel Energy, respectfully submits this petition for clarification of the Minnesota Public Utilities Commission's February 5, 2015 ORDER APPROVING POWER PURCHASE AGREEMENT WITH CALPINE, APPROVING POWER PURCHASE AGREEMENT WITH GERONIMO, AND APPROVING PRICE TERMS WITH XCEL (Feb 5 Order).

Specifically, we respectfully request the Commission to clarify the Company's recovery of its estimated construction costs for Black Dog Unit 6. We provide the reasons and support for our request below.

PETITION FOR CLARIFICATION

A. Black Dog Unit 6 Cost Recovery

The Feb 5 Order incorrectly describes the Company's statements accepting the Department's cost recovery approach for Black Dog Unit 6. Specifically, the Order describes the Company committing to a different approach to cost recovery for Black Dog Unit 6 than that proposed by the Department, adopted by the Commission, and accepted by the Company. We discuss the procedural evolution of our Black Dog 6 cost recovery approach in this proceeding, and in support of our request that the Commission clarify this aspect of its Feb 5 Order, we suggest updated wording for the Commission to consider.

1. *The Commission Established a Standard Cost Recovery Principle for Selected Parties*

Ordering Point 2.A. of the Commission's May 23, 2014 ORDER DIRECTING XCEL TO NEGOTIATE DRAFT AGREEMENTS WITH SELECTED PARTIES (May 23 Order) states:

Calpine, Geronimo, Invenergy, and Xcel shall be held to the prices and terms used to evaluate each bid for the purpose of cost recovery from Xcel ratepayers. Ratepayers must not be put at risk for costs that are higher than bid or for benefits assumed in the bids that do not materialize. If actual costs are lower than bid, the bidders should be allowed to keep those savings.

This ordering point reflects the Department's proposed approach to cost recovery for all thermal proposals, including Black Dog Unit 6. While initially preferring a MERP-style cost recovery mechanism, we stated in the course of the contested case proceedings that we did not object to the Department's approach.¹

2. *The Company's Compliance with the Commission's May 23 Order*

Following the Commission's May 23 Order, we explained in our compliance filing how we intended to execute cost recovery for Black Dog Unit 6 if ultimately selected by the Commission:²

In its May 23, 2014 Order, the Commission directed the Company to present terms of a similar nature to those of other bidders. Furthermore, the Order indicates that bidders should be held to the parameters of their bids that

¹ Xcel Energy's Initial Post-Hearing Brief at 20-21; Xcel Energy's Post-Hearing Reply Brief at 35-36.

² September 23, 2014 Compliance Filing (Compliance Filing) at 18.

ratepayers should not be subject to costs higher than those bid, but that bidders should be able to retain any savings if actual costs are below what was presented.

In compliance with the Commission's Order, we propose the capital cost estimates presented in our initial April 2013 filing for a 2018 or 2019 in-service date of Black Dog 6 be the basis for cost recovery. If the actual capital cost of Black Dog 6 is higher than the estimate presented, only the estimate and allowance for funds used during construction (AFUDC) associated with the estimate would be placed in rate base. **If the actual cost of the project is less than the estimate, the full capital cost estimate along with AFUDC associated with actual incurred costs will be put in rate base.** We would create a regulatory asset on our books to recognize the difference between actual cost and that included in rate base. [Emphasis added]

The Department's October 23, 2014 comments on our Compliance Filing acknowledged and summarized our position on cost recovery for Black Dog Unit 6 as follows:³

Xcel proposes that, if its project is selected, the capital cost estimates presented in its initial filing for a 2018 or 2019 in-service date provide the basis for costs recovery. If the actual capital cost of Black Dog 6 is higher than the estimate presented, Xcel proposes that only the estimate and allowance for funds used during construction (AFUDC) would be placed in rate base. If the actual cost of the project is less than the estimate, Xcel proposes that the full capital cost estimate along with AFUDC associated with actual incurred costs would be put in rate base.

The Company also reiterated this approach to cost recovery for Black Dog Unit 6 during the parties' December 8, 2014 oral argument before the Commission.⁴

3. The Feb 5 Order Misstates the Company's Cost Recovery Mechanism

In its Feb 5 Order, however, the Commission describes the Company committing to a different approach to cost recovery for Black Dog Unit 6, stating:⁵

³ Department comments at 24.

⁴ See Transcript of 12/8/14 Oral Argument at 130.

Xcel first addresses cost: Consistent with the first part of the Commission’s admonition Xcel states that it will forgo recovery of any costs that exceed its proposal (plus financing costs). **But distinct from the second part of the admonition, Xcel states that it would not seek to recover from ratepayers more than the project’s actual costs, plus financing costs, even if this proves to be less than the amount of Xcel’s bid.** [Emphasis added]

The Order appears to incorrectly refer to the Company’s initially-proposed “MERP-style” mechanism, rather than to the cost recovery method adopted by the Company consistent with the Commission’s May 23 Order.

We therefore respectfully request the Commission to amend the Feb 5 Order’s language to reflect its May 23 Order and the Company’s Compliance Filing on the issue of cost recovery for Black Dog Unit 6, as suggested below:

Xcel first addresses cost: Consistent with the ~~first part of the~~ Commission’s admonition Xcel states that it will forgo recovery of any costs that exceed its proposal (plus financing costs). But ~~distinct from the second part of the admonition,~~ Xcel states that ~~it would not seek to recover from ratepayers more than the project’s actual costs, plus financing costs, even if this proves to be less than the amount of Xcel’s bid.~~ if the actual cost of the project is less than the estimate, the full capital cost estimate along with AFUDC associated with actual incurred costs will be put in rate base. The Company would create a regulatory asset on its books to recognize the difference between actual cost and that included in rate base.

⁵ Feb. 5 Order at 17.

CONCLUSION

The Company respectfully requests that the Commission clarify its February 5 Order for the limited purpose of amending the Order's language on cost recovery for Black Dog Unit 6, consistent with the Commission's May 23 Order and as described by the Company in its Compliance Filing.

Dated: February 25, 2015

Northern States Power Company

CERTIFICATE OF SERVICE

I, Tiffany Hughes, hereby certify that I have this day served copies of the foregoing document on the attached list of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis, Minnesota

xx electronic filing

**Docket Nos. E002/CN-12-1240
 E002/M-14-788
 E002/M-14-789**

Dated this 25th day of February 2015

/s/

Tiffany Hughes
Records Analyst

[illegible]

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