

414 Nicollet Mall Minneapolis, Minnesota 55401

— VIA ELECTRONIC FILING—

December 8, 2017

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

RE: NOTICE OF EXTENDED SETTLEMENT
COMPLIANCE FILING
DOCKET NO. E002/M-15-1089 AND E002/M-17-828

Dear Mr. Wolf:

Northern States Power Company, doing business as Xcel Energy, submits to the Minnesota Public Utilities Commission this informational update with regard to the Company's continued claims against the United States Department of Energy (DOE) seeking recovery of damages associated with storage of spent nuclear fuel at our Prairie Island and Monticello nuclear generating plants. For your reference, a background summary detailing the DOE settlement payments, history and Commission action is included as Attachment A.

On February 23, 2017, the Company and the U.S. Government agreed to extend the Settlement Agreement to allow for the recovery of spent fuel storage damages through December 31, 2019 (Payments 9-11), which resolves the issues of damages for spent nuclear fuel storage through 2019. We expect the next payment (Payment 9) under this extension to be received in late 2018 for damages in 2017, with the subsequent payments following a similar schedule.

The Company does not propose the Commission take any action at this time on how to return the future payments to our customers. However, pursuant to the Company's request in our recently filed Petition for Approval of the 2019-2021

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Triennial Nuclear Decommissioning Study & Assumptions,¹ and consistent with the Commission's prior decision,² we are proposing that upon receipt of settlement payments 9-11, they be held in a segregated interest bearing account until our 2019 Integrated Resource Plan is resolved, which is similar to the proposed treatment for Payment 8 which was received on November 13, 2017.

We appreciate the opportunity to provide the Commission with this information. Pursuant to Minn. Stat. § 216.17, Subd. 3, we have electronically filed this document with the Commission, and copies have been served on the parties on the attached service lists. Please contact Cyndee Harrington at 612-330-5953 or cynthia.d.harrington@xcelenergy.com or me at 612-330-6935 or cynthia.d.harrington@xcelenergy.com with any questions regarding this matter.

Sincerely,

/s/

GAIL A. BARANKO MANAGER, REGULATORY PROJECTS

Enclosure cc: Service Lists

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¹ In the Matter of the Petition of Northern States Power Company for Approval of the 2019-2021 Triennial Nuclear Decommissioning Study & Assumptions (Dec. 1, 2017), Docket No. E002/M-17-828).

² In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of the 2012-2014 Triennial Nuclear Plant Decommissioning Accrual and In the Matter of a Petition by Xcel Energy for Approval of a Credit Mechanism for a Department of Energy Settlement Payment With Deferred Accounting, Order Approving Nuclear Decommissioning Plan and Modifying Refund Plan (Dec. 4, 2012), Docket Nos. E002/M-11-807 and E002/M-11-939.

DOE SETTLEMENT PAYMENTS – BACKGROUND AND SUMMARY OF MN COMMISSION ACTION

In 1998, Northern States Power Company, doing business as Xcel Energy, or the Company, filed the first of two suits against the United States Department of Energy (DOE) seeking to recover damages associated with storage of spent nuclear fuel at our Prairie Island and Monticello nuclear generating plants. The Company's claims were for partial breach of the Standard Contract for Disposal of Spent Nuclear Fuel for failing to take title to, transport, and dispose of spent nuclear fuel beginning no later than January 31, 1998. The first lawsuit sought damages through 2004; the second sought damages through 2008.

The Company reached a settlement with the U.S. Government on these suits on July 7, 2011. The 2011 Settlement Agreement provided a mechanism for the Company to recover its spent nuclear fuel storage damages through December 31, 2013 (Payments 1-5).

The Commission initially directed that Settlement Agreement payments be returned to customers through a direct bill credit.¹ The Commission subsequently directed that payments received in 2012 and 2013 (Payments 3 and 4) be deposited directly to the nuclear decommissioning fund.² The Commission modified this requirement to allow the Company to place the 2013 funds (Payment 4) in excess of the 2014 decommissioning accrual amount into an external account separate from the decommissioning fund.³ In the Company's 2014 rate case the Commission⁴ directed

¹ In the Matter of a Petition by Xcel Energy for Approval of a Credit Mechanism for a Department of Energy Settlement Payment With Deferred Accounting, Order Establishing Refund Plan (Dec. 16, 2011), Docket No. E002/M-11-807

² In the Matter of the Petition of Northern States Power Company d/b/a Xcel Energy for Approval of the 2012-2014 Triennial Nuclear Plant Decommissioning Accrual and In the Matter of a Petition by Xcel Energy for Approval of a Credit Mechanism for a Department of Energy Settlement Payment With Deferred Accounting, Order Approving Nuclear Decommissioning Plan and Modifying Refund Plan (Dec. 4, 2012), Docket Nos. E002/M-11-807 and E002/M-11-939.

³ In the Matter of a Request by Northern States Power Company d/b/a Xcel Energy (Xcel) for Modification of a Prior Order Provision for 2012-2014 Triennial Nuclear Plant Decommissioning Accrual; In the Matter of a Credit Mechanism for a Department of Energy Settlement Payment with Deferred Accounting, Order Approving Modification Request (Dec. 18, 2013), Docket Nos. E002/M-11-807 and E002/M-11-939.

⁴ In the Matter of the Application of Northern States Power Company for Authority to Increase Rates for Electric Service in the State of Minnesota, Findings of Fact, Conclusions and Order at P. 52 ¶4 (May 8, 2015), Docket No. E002/GR-13-868.

Payments 4 and 5 be combined and any amounts that exceeded the 2014 and 2015 nuclear decommissioning accruals were to be utilized as a rate moderation tool in the 2015 deficiency.

On January 24, 2014, the Company and the U.S. Government agreed to extend the Settlement Agreement to allow for the recovery of spent fuel storage damages through December 31, 2016 (Payments 6-8).

The Commission subsequently directed that the Settlement Agreement payments six and seven be returned to customers through a direct bill credit.⁵ On November 13, 2017, the Company received the eighth payment totaling \$15,180,484.80 and in our recent Compliance filing⁶ we have proposed to hold these funds in an interest bearing account until our 2019 Integrated Resource Plan is resolved, at which time the Commission can decide whether to add the funds to the Triennial Nuclear Plant Decommissioning Accrual (NDT) or refund them directly to customers.

On February 23, 2017, the Company and the U.S. Government agreed to extend the Settlement Agreement to allow for the recovery of spent fuel storage damages through December 31, 2019 (Payments 9-11), which resolves the issues of damages for spent nuclear fuel storage through 2019. We expect the next payment (Payment 9) under this extension to be received in late 2018 for damages in 2017, with the subsequent payments following a similar schedule.

⁵ In the Matter of a Petition by Xcel Energy for Approval of a Credit Mechanism for a Department of Energy Settlement Payment With Deferred Accounting, Orders Approving Xcel's Proposed Refund Plans (June 3, 2016 and Jan. 26, 2017), Docket No. E002/M-15-1089.

⁶ Id. Compliance Filing (Dec. 8, 2017).

CERTIFICATE OF SERVICE

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

- <u>xx</u> by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States mail at Minneapolis,
 Minnesota; or
- <u>xx</u> by electronic filing.

MPUC Docket Nos. E002/M-15-1089; and E002/M-17-828

Dated this 8th day of December 2017.

/s/

Jim Erickson

Regulatory Administrator

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|-------------|-----------|------------------------------------|---------------------------------------|--|---------------------------|-------------------|------------------------------|
| David | Aafedt | daafedt@winthrop.com | Winthrop & Weinstine, P.A. | Suite 3500, 225 South Sixth Street Minneapolis, MN 554024629 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Sigurd W. | Anderson | mariner@eldinc.com | Engineering Lab Design | 30910 716th St Lake City, MN 55041 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Christopher | Anderson | canderson@allete.com | Minnesota Power | 30 W Superior St Duluth, MN 558022191 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Alison C | Archer | aarcher@misoenergy.org | MISO | 2985 Ames Crossing Rd Eagan, MN 55121 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Mara | Ascheman | mara.k.ascheman@xcelen ergy.com | Xcel Energy | 414 Nicollet Mall FI 5 Minneapolis, MN 55401 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Gail | Baranko | gail.baranko@xcelenergy.c om | Xcel Energy | 414 Nicollet Mall7th Floor Minneapolis, MN 55401 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Ryan | Barlow | Ryan.Barlow@ag.state.mn. us | Office of the Attorney General-RUD | 445 Minnesota Street Bremer Tower, Suite 1 St. Paul, Minnesota 55101 | Electronic Service 400 | Yes | OFF_SL_15-1089_M-15- 1089 |
| James J. | Bertrand | james.bertrand@stinson.co m | Stinson Leonard Street LLP | 50 S 6th St Ste 2600 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| William A. | Blazar | bblazar@mnchamber.com | Minnesota Chamber Of Commerce | Suite 1500 400 Robert Street Nor St. Paul, MN 55101 | Electronic Service th | No | OFF_SL_15-1089_M-15- 1089 |
| James | Canaday | james.canaday@ag.state. mn.us | Office of the Attorney General-RUD | Suite 1400 445 Minnesota St. St. Paul, MN 55101 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|----------------|--------------------|--|---------------------------------------|---|--------------------|-------------------|------------------------------|
| Jeanne | Cochran | Jeanne.Cochran@state.mn .us | Office of Administrative Hearings | P.O. Box 64620 St. Paul, MN 55164-0620 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| John | Coffman | john@johncoffman.net | AARP | 871 Tuxedo Blvd. St, Louis, MO 63119-2044 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Generic Notice | Commerce Attorneys | commerce.attorneys@ag.st ate.mn.us | Office of the Attorney General-DOC | 445 Minnesota Street Suite 1800 St. Paul, MN 55101 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| Carl | Cronin | Regulatory.records@xcele nergy.com | Xcel Energy | 414 Nicollet Mall FL 7 Minneapolis, MN 554011993 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Joseph | Dammel | joseph.dammel@ag.state. mn.us | Office of the Attorney General-RUD | Bremer Tower, Suite 1400 445 Minnesota Street St. Paul, MN 55101-2131 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| James | Denniston | james.r.denniston@xcelen ergy.com | Xcel Energy Services, Inc. | 414 Nicollet Mall, Fifth Floor Minneapolis, MN 55401 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| lan | Dobson | Residential.Utilities@ag.sta te.mn.us | Office of the Attorney General-RUD | 1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| Kristen | Eide Tollefson | N/A | R-CURE | 28477 N Lake Ave Frontenac, MN 55026-1044 | Paper Service | No | OFF_SL_15-1089_M-15- 1089 |
| Rebecca | Eilers | rebecca.d.eilers@xcelener gy.com | Xcel Energy | 414 Nicollet Mall - 401 7th Floor Minneapolis, MN 55401 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|-----------------------------------|---------------------------------------|--|--------------------|-------------------|------------------------------|
| Sharon | Ferguson | sharon.ferguson@state.mn .us | Department of Commerce | 85 7th Place E Ste 280 Saint Paul, MN 551012198 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Stephen | Fogel | Stephen.E.Fogel@XcelEne rgy.com | Xcel Energy Services, Inc. | 816 Congress Ave, Suite 1650 Austin, TX 78701 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Edward | Garvey | garveyed@aol.com | Residence | 32 Lawton St Saint Paul, MN 55102 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Janet | Gonzalez | Janet.gonzalez@state.mn. us | Public Utilities Commission | Suite 350 121 7th Place East St. Paul, MN 55101 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| Thomas P. | Harlan | harlan@mdh-law.com | Madigan, Dahl & Harlan, P.A. | 222 South Ninth Street Suite 3150 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Kimberly | Hellwig | kimberly.hellwig@stoel.co m | Stoel Rives LLP | 33 South Sixth Street Suite 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Michael | Норре | il23@mtn.org | Local Union 23, I.B.E.W. | 932 Payne Avenue St. Paul, MN 55130 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Alan | Jenkins | aj@jenkinsatlaw.com | Jenkins at Law | 2265 Roswell Road Suite 100 Marietta, GA 30062 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Linda | Jensen | linda.s.jensen@ag.state.m n.us | Office of the Attorney General-DOC | 1800 BRM Tower 445 Minnesota Street St. Paul, MN 551012134 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|------------------|-------------------------------------|---|---|--------------------|-------------------|------------------------------|
| Richard | Johnson | Rick.Johnson@lawmoss.co m | Moss & Barnett | 150 S. 5th Street Suite 1200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Sarah | Johnson Phillips | sjphillips@stoel.com | Stoel Rives LLP | 33 South Sixth Street Suite 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Mark J. | Kaufman | mkaufman@ibewlocal949.org | IBEW Local Union 949 | 12908 Nicollet Avenue South Burnsville, MN 55337 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Thomas | Koehler | TGK@IBEW160.org | Local Union #160, IBEW | 2909 Anthony Ln St Anthony Village, MN 55418-3238 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Michael | Krikava | mkrikava@briggs.com | Briggs And Morgan, P.A. | 2200 IDS Center 80 S 8th St Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Peder | Larson | plarson@larkinhoffman.co m | Larkin Hoffman Daly & Lindgren, Ltd. | 8300 Norman Center Drive Suite 1000 Bloomington, MN 55437 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Douglas | Larson | dlarson@dakotaelectric.co m | Dakota Electric Association | 4300 220th St W Farmington, MN 55024 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Matthew P | Loftus | matthew.p.loftus@xcelener gy.com | Xcel Energy | 414 Nicollet Mall FL 5 Minneapolis, MN 55401 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Paula | Maccabee | Pmaccabee@justchangela w.com | Just Change Law Offices | 1961 Selby Ave Saint Paul, MN 55104 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Peter | Madsen | peter.madsen@ag.state.m n.us | Office of the Attorney General-DOC | Bremer Tower, Suite 1800 445 Minnesota Street St. Paul, Minnesota 55101 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|---------------------------------------|---------------------------------------|--|--------------------|-------------------|------------------------------|
| Philip | Mahowald | pmahowald@thejacobsonla wgroup.com | Jacobson Law Group | 180 East Fifth Street Suite 940 St. Paul, MN 55101 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Kavita | Maini | kmaini@wi.rr.com | KM Energy Consulting LLC | 961 N Lost Woods Rd Oconomowoc, WI 53066 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Pam | Marshall | pam@energycents.org | Energy CENTS Coalition | 823 7th St E St. Paul, MN 55106 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Mary | Martinka | mary.a.martinka@xcelener gy.com | Xcel Energy Inc | 414 Nicollet Mall 7th Floor Minneapolis, MN 55401 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| Brian | Meloy | brian.meloy@stinson.com | Stinson,Leonard, Street LLP | 50 S 6th St Ste 2600 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Joseph | Meyer | joseph.meyer@ag.state.mn .us | Office of the Attorney General-RUD | Bremer Tower, Suite 1400 445 Minnesota Street St Paul, MN 55101-2131 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| David | Moeller | dmoeller@allete.com | Minnesota Power | 30 W Superior St Duluth, MN 558022093 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Andrew | Moratzka | andrew.moratzka@stoel.co m | Stoel Rives LLP | 33 South Sixth St Ste 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| David | Niles | david.niles@avantenergy.c om | Minnesota Municipal Power Agency | 220 South Sixth Street Suite 1300 Minneapolis, Minnesota 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Jeff | O'Neill | jeff.oneill@ci.monticello.mn .us | City of Monticello | 505 Walnut Street Suite 1 Monticelllo, Minnesota 55362 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|----------------|-----------------------------------|---|---|---------------------------|-------------------|------------------------------|
| Carol A. | Overland | overland@legalectric.org | Legalectric - Overland Law Office | 1110 West Avenue Red Wing, MN 55066 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Jeff | Oxley | jeff.oxley@state.mn.us | Office of Administrative Hearings | 600 North Robert Street St. Paul, MN 55101 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Lisa | Perkett | lisa.h.perkett@xcelenergy.c om | Xcel Energy Inc. | Capital Asset Acctg Dept 7th Floor 414 Nicollet Mall Minneapolis, MN 554011993 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Kevin | Reuther | kreuther@mncenter.org | MN Center for Environmental Advocacy | 26 E Exchange St, Ste 206 St. Paul, MN 551011667 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Amanda | Rome | amanda.rome@xcelenergy. | Xcel Energy | 414 Nicollet Mall FL 5 Minneapoli, MN 55401 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Laureen | Ross McCalib | Irossmccalib@grenergy.co m | Great River Energy | 12300 Elm Creek Boulevard Maple Grove, MN 55369-4718 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Richard | Savelkoul | rsavelkoul@martinsquires.c om | Martin & Squires, P.A. | 332 Minnesota Street Ste W2750 St. Paul, MN 55101 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Inga | Schuchard | ischuchard@larkinhoffman. com | Larkin Hoffman | 8300 Norman Center Drive Suite 1000 Minneapolis, MN 55437 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Janet | Shaddix Elling | jshaddix@janetshaddix.co m | Shaddix And Associates | Ste 122 9100 W Bloomington I Bloomington, MN 55431 | Electronic Service rwy | Yes | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|--------------|--------------------------------------|--------------------------------------|--|--------------------|-------------------|------------------------------|
| Ken | Smith | ken.smith@districtenergy.c om | District Energy St. Paul Inc. | 76 W Kellogg Blvd St. Paul, MN 55102 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Byron E. | Starns | byron.starns@stinson.com | Stinson Leonard Street LLP | 50 S 6th St Ste 2600 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| James M. | Strommen | jstrommen@kennedy- graven.com | Kennedy & Graven, Chartered | 470 U.S. Bank Plaza 200 South Sixth Stree Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Eric | Swanson | eswanson@winthrop.com | Winthrop & Weinstine | 225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Lisa | Veith | lisa.veith@ci.stpaul.mn.us | City of St. Paul | 400 City Hall and Courthouse 15 West Kellogg Blvd. St. Paul, MN 55102 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Adam | Wattenbarger | awattenbarger@kennedy- graven.com | Kennedy & Graven, Chartered | 470 U.S. Bank Plaza 200 South Sixth Stree Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Scott M. | Wilensky | scott.wilensky@xcelenergy. | Xcel Energy | 7th Floor 414 Nicollet Mall Minneapolis, MN 554011993 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Samantha | Williams | swilliams@nrdc.org | Natural Resources Defense Council | 20 N. Wacker Drive Ste 1600 Chicago, IL 60606 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Joseph | Windler | jwindler@winthrop.com | Winthrop & Weinstine | 225 South Sixth Street, Suite 3500 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|-------------------------|--|--|--------------------|-------------------|------------------------------|
| Cam | Winton | cwinton@mnchamber.com | Minnesota Chamber of Commerce | 400 Robert Street North Suite 1500 St. Paul, Minnesota 55101 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |
| Daniel P | Wolf | dan.wolf@state.mn.us | Public Utilities Commission | 121 7th Place East Suite 350 St. Paul, MN 551012147 | Electronic Service | Yes | OFF_SL_15-1089_M-15- 1089 |
| Patrick | Zomer | Patrick.Zomer@lawmoss.c | Moss & Barnett a Professional Association | 150 S. 5th Street, #1200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_15-1089_M-15- 1089 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|-------------|-----------|----------------------------------|---------------------------------------|--|---------------------------|-------------------|------------------------|
| David | Aafedt | daafedt@winthrop.com | Winthrop & Weinstine, P.A. | Suite 3500, 225 South Sixth Street Minneapolis, MN 554024629 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Sigurd W. | Anderson | mariner@eldinc.com | Engineering Lab Design | 30910 716th St Lake City, MN 55041 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Christopher | Anderson | canderson@allete.com | Minnesota Power | 30 W Superior St Duluth, MN 558022191 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Alison C | Archer | aarcher@misoenergy.org | MISO | 2985 Ames Crossing Rd Eagan, MN 55121 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Ryan | Barlow | Ryan.Barlow@ag.state.mn. us | Office of the Attorney General-RUD | 445 Minnesota Street Bremer Tower, Suite 1 St. Paul, Minnesota 55101 | Electronic Service 400 | No | OFF_SL_17-828_M-17-828 |
| James J. | Bertrand | james.bertrand@stinson.co m | Stinson Leonard Street LLP | 50 S 6th St Ste 2600 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| William A. | Blazar | bblazar@mnchamber.com | Minnesota Chamber Of Commerce | Suite 1500 400 Robert Street Nor St. Paul, MN 55101 | Electronic Service th | No | OFF_SL_17-828_M-17-828 |
| James | Canaday | james.canaday@ag.state. mn.us | Office of the Attorney General-RUD | Suite 1400 445 Minnesota St. St. Paul, MN 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Jeanne | Cochran | Jeanne.Cochran@state.mn .us | Office of Administrative Hearings | P.O. Box 64620 St. Paul, MN 55164-0620 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| John | Coffman | john@johncoffman.net | AARP | 871 Tuxedo Blvd. St, Louis, MO 63119-2044 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|----------------|--------------------|--|---------------------------------------|---|--------------------|-------------------|------------------------|
| Generic Notice | Commerce Attorneys | commerce.attorneys@ag.st ate.mn.us | Office of the Attorney General-DOC | 445 Minnesota Street Suite 1800 | Electronic Service | Yes | OFF_SL_17-828_M-17-828 |
| | | | | St. Paul, MN 55101 | | | |
| Corey | Conover | corey.conover@minneapoli smn.gov | Minneapolis City Attorney | 350 S. Fifth Street City Hall, Room 210 Minneapolis, MN 554022453 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Carl | Cronin | Regulatory.records@xcele nergy.com | Xcel Energy | 414 Nicollet Mall FL 7 Minneapolis, MN 554011993 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Joseph | Dammel | joseph.dammel@ag.state. mn.us | Office of the Attorney General-RUD | Bremer Tower, Suite 1400 445 Minnesota Street St. Paul, MN 55101-2131 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| lan | Dobson | Residential.Utilities@ag.sta te.mn.us | Office of the Attorney General-RUD | 1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130 | Electronic Service | Yes | OFF_SL_17-828_M-17-828 |
| Kristen | Eide Tollefson | N/A | R-CURE | 28477 N Lake Ave Frontenac, MN 55026-1044 | Paper Service | No | OFF_SL_17-828_M-17-828 |
| John | Farrell | jfarrell@ilsr.org | Institute for Local Self-Reliance | 1313 5th St SE #303 Minneapolis, MN 55414 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Sharon | Ferguson | sharon.ferguson@state.mn .us | Department of Commerce | 85 7th Place E Ste 280 Saint Paul, MN 551012198 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Edward | Garvey | edward.garvey@AESLcons ulting.com | AESL Consulting | 32 Lawton St Saint Paul, MN 55102-2617 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Janet | Gonzalez | Janet.gonzalez@state.mn. us | Public Utilities Commission | Suite 350 121 7th Place East St. Paul, MN 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|------------------|---|---------------------------------------|--|--------------------|-------------------|------------------------|
| Thomas P. | Harlan | harlan@mdh-law.com | Madigan, Dahl & Harlan, P.A. | 222 South Ninth Street Suite 3150 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Kimberly | Hellwig | kimberly.hellwig@stoel.co m | Stoel Rives LLP | 33 South Sixth Street Suite 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Michael | Норре | il23@mtn.org | Local Union 23, I.B.E.W. | 932 Payne Avenue St. Paul, MN 55130 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Julia | Jazynka | jjazynka@energyfreedomc oalition.com | Energy Freedom Coalition of America | 101 Constitution Ave NW Ste 525 East Washington, DC 20001 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Alan | Jenkins | aj@jenkinsatlaw.com | Jenkins at Law | 2265 Roswell Road Suite 100 Marietta, GA 30062 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Linda | Jensen | linda.s.jensen@ag.state.m n.us | Office of the Attorney General-DOC | 1800 BRM Tower 445 Minnesota Street St. Paul, MN 551012134 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Richard | Johnson | Rick.Johnson@lawmoss.co m | Moss & Barnett | 150 S. 5th Street Suite 1200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Sarah | Johnson Phillips | sjphillips@stoel.com | Stoel Rives LLP | 33 South Sixth Street Suite 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Mark J. | Kaufman | mkaufman@ibewlocal949.o rg | IBEW Local Union 949 | 12908 Nicollet Avenue South Burnsville, MN 55337 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|---------------------------------------|---|---|--------------------|-------------------|------------------------|
| Thomas | Koehler | TGK@IBEW160.org | Local Union #160, IBEW | 2909 Anthony Ln St Anthony Village, MN 55418-3238 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Michael | Krikava | mkrikava@briggs.com | Briggs And Morgan, P.A. | 2200 IDS Center 80 S 8th St Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Peder | Larson | plarson@larkinhoffman.co m | Larkin Hoffman Daly & Lindgren, Ltd. | 8300 Norman Center Drive Suite 1000 Bloomington, MN 55437 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Douglas | Larson | dlarson@dakotaelectric.co m | Dakota Electric Association | 4300 220th St W Farmington, MN 55024 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Paula | Maccabee | Pmaccabee@justchangela w.com | Just Change Law Offices | 1961 Selby Ave Saint Paul, MN 55104 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Peter | Madsen | peter.madsen@ag.state.m n.us | Office of the Attorney General-DOC | Bremer Tower, Suite 1800 445 Minnesota Street St. Paul, Minnesota 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Philip | Mahowald | pmahowald@thejacobsonla wgroup.com | Jacobson Law Group | 180 East Fifth Street Suite 940 St. Paul, MN 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Kavita | Maini | kmaini@wi.rr.com | KM Energy Consulting LLC | 961 N Lost Woods Rd Oconomowoc, WI 53066 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Pam | Marshall | pam@energycents.org | Energy CENTS Coalition | 823 7th St E St. Paul, MN 55106 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Joseph | Meyer | joseph.meyer@ag.state.mn .us | Office of the Attorney General-RUD | Bremer Tower, Suite 1400 445 Minnesota Street St Paul, MN 55101-2131 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

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|------------|--------------|-------------------------------------|---|---|--------------------|-------------------|------------------------|
| David | Moeller | dmoeller@allete.com | Minnesota Power | 30 W Superior St Duluth, MN 558022093 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Andrew | Moratzka | andrew.moratzka@stoel.co m | Stoel Rives LLP | 33 South Sixth St Ste 4200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| David | Niles | david.niles@avantenergy.c om | Minnesota Municipal Power Agency | 220 South Sixth Street Suite 1300 Minneapolis, Minnesota 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Jeff | O'Neill | jeff.oneill@ci.monticello.mn .us | City of Monticello | 505 Walnut Street Suite 1 Monticelllo, Minnesota 55362 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Carol A. | Overland | overland@legalectric.org | Legalectric - Overland Law Office | 1110 West Avenue Red Wing, MN 55066 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Jeff | Oxley | jeff.oxley@state.mn.us | Office of Administrative Hearings | 600 North Robert Street St. Paul, MN 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Lisa | Perkett | lisa.h.perkett@xcelenergy.co | Xcel Energy Inc. | Capital Asset Acctg Dept 7th Floor 414 Nicollet Mall Minneapolis, MN 554011993 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Kevin | Reuther | kreuther@mncenter.org | MN Center for Environmental Advocacy | 26 E Exchange St, Ste 206 St. Paul, MN 551011667 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Laureen | Ross McCalib | lrossmccalib@grenergy.co m | Great River Energy | 12300 Elm Creek Boulevard Maple Grove, MN 55369-4718 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|----------------------------------|--------------------------------|--|--------------------|-------------------|------------------------|
| Richard | Savelkoul | rsavelkoul@martinsquires.com | Martin & Squires, P.A. | 332 Minnesota Street Ste W2750 St. Paul, MN 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Inga | Schuchard | ischuchard@larkinhoffman. com | Larkin Hoffman | 8300 Norman Center Drive Suite 1000 Minneapolis, MN 55437 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Zeviel | Simpser | zsimpser@briggs.com | Briggs and Morgan PA | 2200 IDS Center80 South Eighth Street Minneapolis, MN 554022157 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Ken | Smith | ken.smith@districtenergy.com | District Energy St. Paul Inc. | 76 W Kellogg Blvd St. Paul, MN 55102 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Byron E. | Starns | byron.starns@stinson.com | Stinson Leonard Street LLP | 50 S 6th St Ste 2600 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| James M. | Strommen | jstrommen@kennedy- graven.com | Kennedy & Graven, Chartered | 470 U.S. Bank Plaza 200 South Sixth Stree Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Eric | Swanson | eswanson@winthrop.com | Winthrop & Weinstine | 225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Lisa | Veith | lisa.veith@ci.stpaul.mn.us | City of St. Paul | 400 City Hall and Courthouse 15 West Kellogg Blvd. St. Paul, MN 55102 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Joseph | Windler | jwindler@winthrop.com | Winthrop & Weinstine | 225 South Sixth Street, Suite 3500 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|-----------|-------------------------|--|--|--------------------|-------------------|------------------------|
| Cam | Winton | cwinton@mnchamber.com | Minnesota Chamber of Commerce | 400 Robert Street North Suite 1500 St. Paul, Minnesota 55101 | Electronic Service | No | OFF_SL_17-828_M-17-828 |
| Daniel P | Wolf | dan.wolf@state.mn.us | Public Utilities Commission | 121 7th Place East Suite 350 St. Paul, MN 551012147 | Electronic Service | Yes | OFF_SL_17-828_M-17-828 |
| Patrick | Zomer | Patrick.Zomer@lawmoss.c | Moss & Barnett a Professional Association | 150 S. 5th Street, #1200 Minneapolis, MN 55402 | Electronic Service | No | OFF_SL_17-828_M-17-828 |