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May 23, 2019

VIA ELECTRONIC FILING

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
350 Metro Square Building
121 Seventh Place East
St. Paul, MN 55101

Re: In the Matter of the Joint Request of North Branch Water and Light
Commission of the City of North Branch and East Central Energy to Update
Electric Service Territory Records
MPUC Docket: _____
Our File No.: 60296-0001

Dear Mr. Wolf:

I represent the North Branch Water and Light Commission of the City of North Branch (the "Municipal"), which is authorized, on behalf of the Municipal and East Central Energy, a rural electric cooperative utility (the "Cooperative") (collectively, the "Parties") to make this filing as a joint petition to the MPUC.

Summary of the Joint Request

This filing constitutes the Parties' joint request that the MPUC update the official service territory map to reflect an agreed-upon change in the Parties' electric service territory boundaries. This joint request concerns the permanent transfer of an area located within the city limits of the City of North Branch and within the electric service territory assigned to the Cooperative (identified as the "Affected Area"), as further described below.

Legal Authorities

Under Minnesota Statutes, Section 216B.44(a), a municipal utility expands its assigned electric service territory, upon reaching agreement with the neighboring utility

as to compensation: “Notwithstanding the provisions of sections 216B.38 to 216B.42, whenever a municipality which owns and operates an electric utility (1) extends its corporate boundaries through annexation or consolidation, or (2) determines to extend its service territory within its existing corporate boundaries, the municipality shall thereafter furnish electric service to these areas unless the area is already receiving electric service from an electric utility, in which event, the municipality may purchase the facilities of the electric utility serving the area.” Minn. Stat. § 216B.44(a). In addition, “no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing” Minn. Stat. § 216B.40 (2018).

In the present case, the transfer has occurred pursuant to Section 216B.44: the Affected Area lies within the city limits; the Parties have agreed upon appropriate compensation; and the parties have agreed to the Municipal providing service upon a mutually agreed-upon date.

Minnesota Statutes, Section 216B.39, subd. 3 addresses changes to the assigned service territory map after 1975: “the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and hearing” By its terms, Section 216B.44(a) excludes Section 216B.39. Minn. Stat. § 216B.44(a) (“notwithstanding the provisions of sections 216B.38 to 216B.42,”). Nonetheless, the Parties acknowledge the public policy in having an accurate and updated official service territory boundary map. Accordingly, the Parties request that the Commission update its official records as to electric service territory boundaries to reflect the Parties’ permanent change in the Affected Area.

Underlying Information

Attached as Exhibit A is a map that depicts the boundaries of the Affected Area. The Affected Area involves approximately 12.85 acres and nineteen (19) customers (18 residential and one lift station).

Attached as Exhibit B is a legal description of the Affected Area.

Customer Notice

The Parties acknowledge that the Commission wishes to direct separate notice to customers as to the pending proceeding before the Commission. The Parties are preparing a notice letter to be sent to all customers in the Affected Area and will arrange filing with the Commission.

Contact Information.

If there are any questions concerning this filing, you may contact the following representatives:

North Branch:
Mark Petsche
General Manager
North Branch Water and Light
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North Branch, MN 55056
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East Central Energy:
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East Central Energy
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Request

The Parties therefore petition the Commission to accept and file these documents and provide due acknowledgment thereof. The Parties further request that the Commission provide evidence of its acknowledgment of these changes of service territory boundaries, and the updating of the official service territory records.

Proposed Service List

A copy of this letter and the accompanying documents has been mailed or emailed to the persons on the enclosed proposed service list.

Please contact the representatives above if you have any questions.

Sincerely,


Kathleen M. Brennan

Enclosures
cc (w/encl.): Proposed Service List

Exhibit B: Legal Description of Affected Area

Lucht's Crossing, Second Addition, Chisago County

Lucht's Crossing, Outlot C, Chisago County

PROPOSED SERVICE LIST

Re: In the Matter of the Joint Request of North Branch Water and Light Commission of the City of North Branch and East Central Energy to Update Electric Service Territory Records
MPUC Docket: _____

Via Electronic Filing

Daniel P. Wolf
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Via Electronic Filing

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Courtesy Copies

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