

## Staff Briefing Papers

Meeting Date	October 8, 2020	Agenda Item 1*
Company	Xcel Energy	
Docket No.	<b>Docket No. E002/M-19-666</b> <b>Docket No. E002/M-20-680</b>	
	<b>In the Matter of Xcel Energy's Integrated Distribution Plan and Advanced Grid Intelligence and Security Certification Request</b>	
	<b>In the Matter of Northern States Power Company d/b/a Xcel Energy for Approval of the Transmission Cost Recovery Rider Revenue Requirements for 2021 and Revised Adjustment Factors</b>	
Issues	1. Should the Commission extend the deadline from November 1, 2020 to December 1, 2020 for the Department of Commerce Report requested in the July 23, 2020 Commission Order in Docket No. E002/M-19-666?	
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### Relevant Documents

### Date

ORDER ACCEPTING INTEGRATED DISTRIBUTION PLAN, MODIFYING REPORTING REQUIREMENTS, AND CERTIFYING CERTAIN GRID MODERNIZATION PROJECTS, Docket No. E002/M-19-666	July 23, 2020
Compliance Filing on Procedural Paths for AGIS cost recovery in Transmission Cost Recovery Rider, Xcel Energy	August 28, 2020
Extension Request, Xcel Energy Large Industrials	September 17, 2020
Letter, Department of Commerce – Division of Energy Resources	September 24, 2020

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

## I. Statement of the Issues

Should the Commission extend the deadline from November 1, 2020 to December 1, 2020 for the Department of Commerce Report requested in Ordering Paragraph 9 of the July 23, 2020 Commission Order in Docket No. E002/M-19-666?

## II. Background

On July 23, 2020, the Commission issued its ORDER ACCEPTING INTEGRATED DISTRIBUTION PLAN, MODIFYING REPORTING REQUIREMENTS, AND CERTIFYING CERTAIN GRID MODERNIZATION PROJECTS. Ordering Paragraph 9 (Department Report) states:

9. The Commission requests that the Department file a report by November 1, 2020, including recommendations on specific metrics, detailed methods for evaluating performance, and consumer protections or other conditions, including cost caps, that should be applied to the certified projects. The report should be informed by a stakeholder process and will be made part of the record for any future cost recovery proceedings. Xcel must participate in the stakeholder process, which must be open to all interested parties, and fully cooperate with the Department.

On August 20, 2020, the Department of Commerce filed a Notice of Solicitation of Stakeholder Input and Comments to inform the November 1, 2020 Department Report described above in Docket No. E002/DI-20-627. Most recently, on September 24, 2020, the Department extended the deadline for comments to October 16, 2020.

On August 28, 2020, Xcel Energy filed its Compliance Filing<sup>1</sup> outlining procedural paths anticipating the Company would file a November 6, 2020 Petition for Cost Recovery of AGIS Investments.

On September 17, 2020, Xcel Energy Large Industrials (XLI) filed an extension request which included the following requests:

- Modify the November 1, 2020, requested date for the Department's report in compliance with the IDP Acceptance Order to December 1, 2020, which modification would allow the Department to extend its due date in the IDP Stakeholder Notice by approximately 30 days to October 16, 2020;
- Set the initial comment deadline in response to the IDP TCR Petition on October 16, 2020; and

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<sup>1</sup> July 23, 2020 Order (Docket No. E002/M-19-666), Ordering Paragraph 13 states: "13. 60 days prior to a petition to seek rider recovery for AGIS costs, Xcel Energy shall file preferred procedural paths forward with one option being a contested case. The Commission will make a procedural and scoping decision prior to the consideration of a rider recovery determination. The Executive Secretary is authorized to establish a comment and reply schedule prior to the procedural and scoping hearing."

- Set the initial comment deadline in response to the COVID-19 Petition on October 16, 2020.

XLI noted the request had the support of the Office of Attorney General – Residential Utilities Division (OAG-RUD) and Citizens Utility Board (CUB), and stated:

Stakeholders need time to digest and understand the potential cost impacts associated with the IDP TCR Petition<sup>2</sup> and COVID-19 Petition<sup>3</sup>, and whether the proposed distribution system investments are related and/or overlap between those two filings. Stakeholders also need time to process whether, and the extent to which, the performance metrics subject to comment in the IDP Stakeholder Notice, will be influenced by the IDP TCR Petition and COVID-19 Petition, both of which were filed after the IDP Stakeholder Notice.

On September 23, 2020, the Commission granted XLI's extension request to align comment periods establishing October 16 and 30, 2020 for Initial and Reply respectively in the following dockets:

- E,G999/CI-20-492 **In the Matter of Utility Investments that may Assist in Minnesota's Economic Recovery from the COVID-19 Pandemic**
- E002/M-20-680 **In the Matter of the Petition of Northern States Power Company for Approval of the Transmission Cost Recovery Rider Revenue Requirements for 2021 and Revised Adjustment Factors<sup>4</sup>; and**
- E,G002/M-20-716 **In the Matter of an Inquiry into Xcel Energy Investments that may Assist in Minnesota's Economic Recovery from the COVID-19 Pandemic**

On September 24, 2020, the Department of Commerce – Division of Energy Resources (Department) filed a letter stating no objection to XLI's request to modify the deadline from November 1 to December 1 for the Department Report.

On September 28, 2020, Commission staff issued a 10-day Notice with this issue on the October 8, 2020 Agenda Meeting.

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<sup>2</sup> Xcel Energy's anticipated November 6, 2020 Petition for Cost Recovery of AGIS Investments in Docket No. E002/M-20-680.

<sup>3</sup> Xcel Energy's September 15, 2020 petition in Docket No. E,G999/M-20-492 and E,G002/M-20-716

<sup>4</sup> On September 29, 2020, the Commission granted the Department of Commerce's extension request establishing October 16 and 30, 2020 for Initial and Reply respectively in Docket No. E002/M-19-721 **In the Matter of Northern States Power Company dba Xcel Energy-Electric Petition for Approval of 2019 and 2020 Transmission Cost Recovery Rider**. Docket No. 19-721 includes cost recovery of the certified Advanced Distribution Management System (ADMS) (Docket No. E002/M-15-962 and /M-17-797; whereas, Docket No. 20-680 is anticipated to include revenue requirements beginning in 2019 for Advanced Metering Infrastructure and Field Area Network certified in the certification of Xcel Energy's Time of Use Pilot (Docket No. E002/M-17-776) and Advanced Grid Intelligence and Security Initiative (Docket No. E002/M-19-666).

Given the timing, there was no Notice of Comment on this issue. Parties who participated in the May 29, 2020 Agenda Meeting on Docket No. E002/M-19-666 that resulted in the July 23, 2020 Order were given instructions on how to participate in the October 8, 2020 Agenda Meeting where the Commission will consider this matter.

### III. Staff Analysis

When deadlines are set by Commission Order, staff may not extend them via notice unless that authority has been expressly delegated. The only document that can extend a deadline set in Commission Order is another Order. Another example of a deadline set by Commission Order are IRP filing deadlines; in these dockets, extension requests are always subject to comment by parties and then are scheduled for agenda meetings, with Commissioners making the decision whether to extend or not.

Given the expedition of this procedural issue coming before the Commission without a formal comment period, staff recommends the Commission ask parties if they would like to offer their preference and rationale at the Agenda Meeting.

Staff offers the following summary of the timeframes in the related dockets; including, Xcel Energy's proposed timeframe for cost recovery in the TCR for the AGIS investments<sup>5</sup>. The Commission is not being asked to make a determination on Xcel Energy's proposed timeframe at this time.

Date	Action Items	Docket No.
<b>October</b>	<i>Proposed AMI/FAN workshop</i>	<i>Xcel Proposed</i>
<b>Oct. 1, 2020</b>	Advanced Rate Design Roadmap filing	E002/M-19-666
<b>Oct. 16, 2020</b>	Initial Comment due	E999/DI-20-627 E,G999/CI-20-492 E,G002/M-20-716 E002/M-20-680 E002/M-19-721
<b>Oct. 30, 2020</b>	Reply Comments due	E,G999/CI-20-492 E,G002/M-20-716 E002/M-20-680 E002/M-19-721
<b>Nov. 1, 2020</b>	Department Report due <sup>6</sup>	E999/DI-20-627 E002/M-19-666
<b>Nov. 6, 2020</b>	<i>Xcel Energy AGIS Cost Recovery Petition</i>	<i>Xcel Proposed</i>
<b>Nov. 13, 2020</b>	<i>Customer Strategy workshop</i>	<i>Xcel Proposed</i>
<b>Nov. 20, 2020</b>	<i>AMI &amp; FAN Investment Financials, Cost Benefit Analysis, Estimated Cost Impacts workshop</i>	<i>Xcel Proposed</i>

<sup>5</sup> Xcel Energy, Compliance Filing (August 28, 2020), Docket No. E002/M-20-680, pp.

<sup>6</sup> The Commission is considering a request to extend the due date for the Department's Report from November 1, 2020 to December 1, 2020.

<b>Nov. 20-Dec. 15, 2020</b>	<i>Discovery/Focused Technical Discussions</i>	<i>Xcel Proposed</i>
<b>Dec. 15, 2020</b>	<i>Metrics, performance evaluation, customer protections workshop</i>	<i>Xcel Proposed</i>
<b>Dec. 15 – Jan. 15, 2021</b>	<i>Discovery/Focused Technical Discussions</i>	<i>Xcel Proposed</i>
<b>Feb. 1, 2021</b>	<i>Initial Comments on AGIS Cost Recovery Petition</i>	<i>Xcel Proposed</i>
<b>Mar. 1, 2021</b>	<i>Reply Comments on AGIS Cost Recovery Petition</i>	<i>Xcel Proposed</i>
<b>Mar. 15, 2021</b>	<i>Supplemental Reply on AGIS Cost Recovery Petition</i>	<i>Xcel Proposed</i>

#### IV. Decision Options

1. Extend the deadline from November 1, 2020 to December 1, 2020 for the Department of Commerce Report requested in the July 23, 2020 Commission Order in Docket No. E002/M-19-666.

OR

2. Take no action. (In effect, deny the request.)