

The Commission met on **Thursday, October 6, 2022** with Vice-Chair Sullivan and Commissioners Means, Schuerger, and Tuma present.

The following matters were taken up by the Commission:

E-017/PA-21-793

In the Matter of Otter Tail Power Company's Petition for Approval of a Transfer of Property.

Commissioner Means moved that the Commission:

1. Approve Otter Tail's Petition to acquire the 39 turbines, 62.4-Megawatt Ashtabula III wind facility and related assets from Ashtabula III, LLC.
2. Order Otter Tail to file, no later than 60 days after closing, the final journal entries used to record the purchase.

The motion passed 4–0.

E-015/M-20-607

In the Matter of Minnesota Power's Petition for Approval of Its New SolarSense Customer Solar Program.

Commissioner Schuerger moved that the Commission:

1. Accept Minnesota Power's 2021 SolarSense Report.
2. Reduce the target incentive level from 20 percent of installed cost to 10 percent of installed cost.
3. Reduce the maximum rebate per customer from \$10,000 to \$5,000.
4. Transition from a first-come, first-serve rebate allocation process to a lottery-based allocation process.

5. Direct Minnesota Power to take actions to improve the transparency and clarity of the application process for both Low Income and Customer Incentive programs, including but not limited to:
 - a. The establishment of a unique email address for the submission of SolarSense customer incentive applications.
 - b. The transmittal of a confirmation email to all applicants, verifying that the applications have been received.
 - c. The implementation of reasonable deadlines for submitting, evaluating, and selecting applications.
6. Establish public facing dashboard for the Low-Income Program.
7. Provide a score or report containing information regarding the application evaluation to each applicant applying to the Low-Income Program.
8. Publicly identify Low Income Program committee members on Minnesota Power's website with the consent of committee members.
9. In its next annual SolarSense report, require Minnesota Power to report on the following:
 - a. any incentives in the Inflation Reduction Act relevant to the SolarSense program;
 - b. expected trends in solar adoption in its service territory;
 - c. any resulting potential modifications it would like to pursue to the SolarSense program. Minnesota Power may also include any additional insight related to the Inflation Reduction Act relevant to the SolarSense program or solar incentive programs in general; and
 - d. a proposal to give past lottery losers a preference in the next years offering.
10. Require Minnesota Power to file its 2022 Solar Sense Report by June 1, 2023.

The motion passed 4–0.

G-999/R-22-279

In the Matter of Possible Amendments to Rules Governing Pipeline Definitions and Exemptions, Minnesota Rules Chapter 7852.

Commissioner Tuma moved that the Commission:

1. Authorize publication of the proposed rules as recommended by staff (attached as Appendix 2) and authorize staff to take the necessary steps to continue the rulemaking process.
2. Delegate authority to the Executive Secretary to execute documents necessary to proceed with rulemaking under the Administrative Procedure Act, up to (but not including) rule adoption.
3. Delegate authority to Commissioner Sullivan to approve any necessary, non-substantive edits to the draft prior to publication in the State Register.

The motion passed 4–0.

E-002/M-22-432

In the Matter of the Petition of Northern States Power Company for Approval of a Public Charging Network, and Electric School Bus Pilot, and Program Modifications; In the Matter of Xcel Energy’s Application for Authority to Increase Electric Rates.

E-002/GR-21-630

In the Matter of Xcel Energy’s Application for Authority to Increase Electric Rates.

Vice Chair Sullivan moved that the Commission:

1. Reject Xcel’s proposal to include new costs for the EV Portfolio in its pending rate case.
2. Require Xcel, in its Rebuttal Testimony to the MYRP, to remove the following costs from its pending rate case:
 - a. Capital additions for 2023 and 2024 from its EV Fleet and Public Charging Pilots (Table 39, Bloch Direct Testimony, p. 163), along with any increase in O&M costs associated with the capital increases.
 - b. Capital additions for 2024 from its MDU EV Service Pilot (Table 40, Bloch Direct Testimony, p. 167), along with any increase in O&M costs associated with the capital increases.

- c. Capital additions for 2024 from its Public Charging Program (Table 41, Bloch Direct Testimony, p. 171), along with any increase in O&M costs associated with the capital increases.
 - d. All capital and O&M Expenditures associated with the Partnership, Research, and Innovation proposed budget (Table 42, Bloch Direct Testimony, p. 179).
3. Refer this matter to the Office of Administrative Hearings for a contested case proceeding.
- a. Request that the Administrative Law Judge hold public hearings in the affected areas of the state, with locations and format determined after consultation with the parties and Commission staff.
 - b. Request that the Administrative Law Judge establish a procedural schedule in consultation with Commission staff and parties with a report and recommendation from the Administrative Law Judge by [July 1, 2023].
 - c. Request that the Administrative Law Judge make findings, conclusions, and a recommendation on all relevant issues, including but not limited to:
 - i. Whether Xcel's petition should be approved, approved with modifications, or rejected.
 - ii. An evaluation of Xcel's market power in the EV charging sector if the proposal is approved, and whether it is in the public interest.
 - iii. How the proposed investments fit with existing public sector and private sector plans for EV infrastructure spending, including whether the investments are duplicative of forthcoming federal infrastructure funding.
 - iv. An evaluation of existing EV pilots and programs Xcel proposes to expand and modify, and whether the expansions and modifications of the programs are warranted given their status and performance.
 - v. The cumulative rate impacts of Xcel's EV Portfolio in combination with its pending rate case, rider cost recovery, resource acquisitions included in its IRP, and other anticipated significant costs.
 - vi. An evaluation of any proposed alternatives to Xcel's DCFC ownership proposal that address the findings in the Commission's February 1, 2019 Order Making Findings and Requiring Filings (Docket E999/CI-17-879).

4. Require Xcel to file initial direct testimony no later than December 19, 2022.

The motion passed 4–0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: November 23, 2022

A handwritten signature in black ink, appearing to read "Will Seuffert", with a long horizontal flourish extending to the right.

Will Seuffert, Executive Secretary