

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger  
David C. Boyd  
Nancy Lange  
J. Dennis O'Brien  
Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Application of Northern  
States Power Company for Authority to Increase  
Rates for Electric Service in the State of  
Minnesota

ISSUE DATE: January 2, 2014

DOCKET NO. E-002/GR-13-868

ORDER SETTING INTERIM RATES

**PROCEDURAL HISTORY**

On November 4, 2013, Northern States Power Company d/b/a Xcel Energy (Xcel or the Company) filed a petition to increase its electric rates in Minnesota. The Company asked to increase Minnesota retail electric rates in 2014 by \$192,708,000, or 6.9 percent, and by an additional \$98,535,000, or 3.5 percent, in 2015; combined, these proposals would increase Xcel's Minnesota revenues by a total of \$291,243,000 per year, or approximately 10.4 percent.

Under Minn. Stat. § 216B.16, subd. 3, the Commission must order an interim rate schedule into effect within 60 days from the filing of a general rate case unless the Commission allows the proposed final rates to go into effect. The Company included proposed interim rate schedules in its November 4 filing; these schedules would permit the Company to recover an interim rate increase of approximately \$127,400,000, or 4.57%, on an annualized basis.<sup>1</sup>

On December 12, 2013, the rate case filing, including the proposed interim rate schedule, came before the Commission.

By separate orders the Commission has suspended the proposed rate change and referred the general rate case to the Office of Administrative Hearings for contested case proceedings.<sup>2</sup> In this order the Commission sets interim rates.

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<sup>1</sup> Because the increase would not be applied to the fuel clause and other riders, the interim rate increase would appear as a uniform 6.61% surcharge to the base rates portion of customers' bills.

<sup>2</sup> See Order Accepting Filing and Suspending Rates and Notice and Order for Hearing, both entered in this docket on today's date.

## **FINDINGS AND CONCLUSIONS**

### **I. The Legal Standard**

Under Minn. Stat. § 216B.16, subd. 3, interim rates are established in expedited proceedings conducted *ex parte*. Except under exigent circumstances, the following principles control:

Interim rates are based on the proposed test year cost of capital, the proposed test year rate base, and proposed test year expenses. They are calculated using existing rate design and the rate of return on common equity authorized in the company's last general rate case. Only rate base and expense items similar in nature and kind to those allowed under the company's last general rate case order can be included in interim rate calculations.

Interim rates are collected subject to refund. If the company collects more in interim rates than it would have collected in final rates, it refunds the difference to ratepayers. If it collects less, it can recover the difference only for the time period between the final determination in the rate case and the date on which final rates go into effect.<sup>3</sup>

### **II. Xcel's Proposal**

- Xcel proposes an interim rate increase to cover a revenue deficiency of approximately \$127,406,000 per year, to be implemented by January 3, 2014 – that is, 60 days after its November 4, 2013 filing.
- Xcel's interim rates calculation generally followed the statutory template, with two items meriting special mention. First, Xcel calculated the deficiency assuming that it would again be authorized to recover costs related to its Sherburne County Generating Station Unit 3 (Sherco 3). The Commission barred recovery of most of these costs in Xcel's last rate case because the plant had stopped operating.<sup>4</sup> With the plant functioning again, Xcel argues that these costs are once again of a like nature and kind with other costs recovered via interim rates, and thus should be included when calculating the new interim rates.
- Second, Xcel offers a rate moderation proposal, altering the manner in which Xcel would otherwise calculate its revenue deficiency with the goal of reducing that calculated deficiency. In particular, Xcel proposes altering an amortization schedule. In Xcel's last rate case the Commission directed Xcel to amortize its surplus accumulated depreciation over a period of eight years. Xcel now proposes to pay these funds back over three years. Because these changes would increase the operating income Xcel would impute to the rate case's test year, they would offset the amount of revenue Xcel would seek from ratepayers.

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<sup>3</sup> Minn. Stat. § 216B.16, subd. 3(c).

<sup>4</sup> See *In the Matter of the Application of Northern States Power Company for Authority to Increase Rates for Electric Service in the State of Minnesota*, Docket No. GR-12-961, Findings of Fact, Conclusions, and Order (September 3, 2013) at 22-23.

Xcel asks the Commission to find that exigent circumstances exist if such a finding is necessary to permit implementation of the proposed interim rates.

### **III. Commission Action**

The Commission has examined the Company's interim rates proposal and finds that it complies with the requirements of Minn. Stat. § 216B.16, subd. 3. The Commission will therefore approve the proposal and authorize the collection of interim rates for service rendered on and after January 3, 2014. Rates will be based on the new base cost of energy set in conjunction with this rate case filing.<sup>5</sup>

While Xcel's interim rate calculation incorporates some changes to its last rate case, the Commission is not persuaded that those changes require a finding of exigent circumstances. The fact that Sherco 3 is now back on line as an operating plant means that the costs of that plant are of the same nature and kind as for any other preexisting plant. Consequently Xcel is justified in including those costs when calculating interim rates. And the Commission may alter an amortization schedule without altering the nature and kind of costs being amortized. Consequently the revised surplus depreciation schedule may be incorporated into interim rates without a finding of exigent circumstances.

The Commission will direct the Company to take appropriate steps to implement this decision. The Company must submit to the Commission's Executive Secretary a draft notice designed to inform customers of the rate change under the interim rates schedule, and secure his approval. The Company must file interim rate tariff sheets reflecting the terms of this order, together with documentation demonstrating compliance, and must include the approved customer notice. The Company must then display the interim rate increase on each customer's bill using a single, line-item interim rate adjustment. And the Company must include the approved notice with each customer's first bill incorporating the new interim rates, and certify when it has done so.

Finally, the Commission will direct the Company to keep appropriate records. For example, the Company recovers from ratepayers the cost of its Conservation Improvement Programs (CIP) via current rates; the Company must track the recovery of these costs to ensure that they are appropriately recorded. And the Company must collect the records necessary to permit a prompt refund of any excess interim rates at the end of the rate case.

### **ORDER**

1. The Company's interim rates proposal is hereby approved. The Company is authorized to put this rate increase into effect for service rendered on and after January 3, 2014.
2. The Company shall promptly file with the Commission and the Department interim tariff sheets and supporting documentation demonstrating compliance with the decisions made in this order.

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<sup>5</sup> See *In the Matter of Xcel Energy's Request for Approval of a New Base Cost of Energy*, Docket No. E-002/GR-13-869.

3. The Company shall include in its interim rate tariff sheet filing a customer notice, approved by the Executive Secretary, informing customers of the rate change under the interim rates schedule.
4. The Company shall include with each customer's first bill under the interim rate schedule a notice of the rate change, approved by the Executive Secretary, and shall make a filing certifying its compliance with this requirement as soon as compliance is complete.
5. Throughout the interim rate period, the Company shall display the interim rate increase on customer bills using a single, line-item interim rate adjustment.
6. The Company shall keep such records of sales and collections under interim rates as would be necessary to calculate a potential refund; such refund should be made within 120 days of the effective date of the Commission's final order and in a manner approved by the Commission.
7. Throughout the interim rate period, the Company shall keep records of Conservation Improvement Program costs and collections to ensure that it can be ascertained that recoveries dedicated to CIP are properly recorded as CIP.
8. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary



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### **CERTIFICATE OF SERVICE**

I, Margie DeLaHunt, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

**Minnesota Public Utilities Commission  
ORDER SETTING INTERIM RATES**

Docket Number **E-002/GR-13-868**  
Dated this **2nd** day of **January, 2014**

/s/ Margie DeLaHunt

[illegible]

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Jeffrey A.	Daugherty	jeffrey.daugherty@centerpointenergy.com	CenterPoint Energy	800 LaSalle Ave  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_13-868_Official
James	Denniston	james.r.denniston@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, Fifth Floor  Minneapolis, MN 55401	Electronic Service	Yes	OFF_SL_13-868_Official
Ian	Dobson	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Antitrust and Utilities Division 445 Minnesota Street, 1400 BRM Tower St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_13-868_Official
Rebecca	Eilers	rebecca.d.eilers@xcelenergy.com	Xcel Energy	414 Nicollet Mall, 7th Floor  Minneapolis, MN 55401	Electronic Service	No	OFF_SL_13-868_Official
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	Yes	OFF_SL_13-868_Official
Benjamin	Gerber	bgerber@mnchamber.com	Minnesota Chamber of Commerce	400 Robert Street North Suite 1500 St. Paul, Minnesota 55101	Electronic Service	Yes	OFF_SL_13-868_Official
Elizabeth	Goodpaster	bgoodpaster@mncenter.org	MN Center for Environmental Advocacy	Suite 206 26 East Exchange Street St. Paul, MN 551011667	Electronic Service	No	OFF_SL_13-868_Official
Lloyd	Grooms	lgrooms@winthrop.com	Winthrop and Weinstine	Suite 3500 225 South Sixth Street Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_13-868_Official
Burl W.	Haar	burl.haar@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_13-868_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Sam	Hanson	shanson@briggs.com	Briggs and Morgan, PA	2200 IDS Center 80 South Eighth Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_13-868_Official
Robert	Harding	robert.harding@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_13-868_Official
Alan	Jenkins	aj@jenkinsatlaw.com	Jenkins at Law	2265 Roswell Road Suite 100 Marietta, GA 30062	Electronic Service	No	OFF_SL_13-868_Official
Linda	Jensen	linda.s.jensen@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota Street  St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_13-868_Official
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	90 South 7th Street Suite #4800 Minneapolis, MN 554024129	Electronic Service	Yes	OFF_SL_13-868_Official
Clark	Kaml	clark.kaml@state.mn.us	Public Utilities Commission	121 E 7th Place, Suite 350  Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_13-868_Official
Mark J.	Kaufman	mkaufman@ibewlocal949.org	IBEW Local Union 949	12908 Nicollet Avenue South  Burnsville, MN 55337	Electronic Service	No	OFF_SL_13-868_Official
Thomas G.	Koehler	N/A	Local Union #160, IBEW	2909 Anthony Ln  Minneapolis, MN 55418-3238	Paper Service	No	OFF_SL_13-868_Official
Mara	Koeller	mara.n.koeller@xcelenergy.com	Xcel Energy	414 Nicollet Mall 5th Floor Minneapolis, MN 55401	Electronic Service	No	OFF_SL_13-868_Official



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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_13-868_Official
Douglas	Larson	dlarson@dakotaelectric.com	Dakota Electric Association	4300 220th St W  Farmington, MN 55024	Electronic Service	No	OFF_SL_13-868_Official
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_13-868_Official
Paula	Maccabee	Pmaccabee@justchangelaw.com	Just Change Law Offices	1961 Selby Avenue  St. Paul, MN 55104	Paper Service	No	OFF_SL_13-868_Official
Susan	Mackenzie	susan.mackenzie@state.mn.us	Public Utilities Commission	Suite 350121 7th Place East  St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_13-868_Official
Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E  St. Paul, MN 55106	Electronic Service	No	OFF_SL_13-868_Official
Mary	Martinka	mary.a.martinka@xcelenergy.com	Xcel Energy Inc	414 Nicollet Mall 7th Floor Minneapolis, MN 55401	Electronic Service	Yes	OFF_SL_13-868_Official
Brian	Meloy	brian.meloy@leonard.com	Leonard, Street & Deinard	150 S 5th St Ste 2300  Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_13-868_Official
Andrew	Moratzka	apmoratzka@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_13-868_Official
Dorothy	Morrissey	dorothy.morrissey@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_13-868_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
David W.	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	Suite 300 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_13-868_Official
Joseph V.	Plumbo		Local Union 23, I.B.E.W.	932 Payne Avenue  St. Paul, MN 55130	Paper Service	No	OFF_SL_13-868_Official
Kevin	Reuther	kreuther@mncenter.org	MN Center for Environmental Advocacy	26 E Exchange St, Ste 206  St. Paul, MN 551011667	Electronic Service	Yes	OFF_SL_13-868_Official
Richard	Savelkoul	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	332 Minnesota Street Ste W2750  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_13-868_Official
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	Ste 122 9100 W Bloomington Frwy Bloomington, MN 55431	Electronic Service	Yes	OFF_SL_13-868_Official
Christopher	Shaw	christopher.shaw@ag.state.mn.us	Office of the Attorney General-RUD	Bremer Tower, Suite 1400 445 Minnesota Street St. Paul, MN 55101-2131	Electronic Service	Yes	OFF_SL_13-868_Official
Ken	Smith	ken.smith@districtenergy.com	District Energy St. Paul Inc.	76 W Kellogg Blvd  St. Paul, MN 55102	Electronic Service	No	OFF_SL_13-868_Official
Chanti	Sourignavong	chantipal.sourignavong@honeywell.com	Honeywell	1985 Douglas Drive North MN10-111A Golden Valley, MN 55422-3992	Paper Service	No	OFF_SL_13-868_Official
Ron	Spangler, Jr.	rlspangler@otpc.com	Otter Tail Power Company	215 So. Cascade St. PO Box 496 Fergus Falls, MN 565380496	Electronic Service	No	OFF_SL_13-868_Official
Byron E.	Starns	byron.starns@leonard.com	Leonard Street and Deinard	150 South 5th Street Suite 2300 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_13-868_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
James M.	Strommen	jstrommen@kennedy-graven.com	Kennedy & Graven, Chartered	470 U.S. Bank Plaza 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_13-868_Official
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_13-868_Official
SaGonna	Thompson	Regulatory.Records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7  Minneapolis, MN 554011993	Electronic Service	Yes	OFF_SL_13-868_Official
Kari L	Valley	kari.l.valley@xcelenergy.com	Xcel Energy Service Inc.	414 Nicollet Mall FL 5  Minneapolis, MN 55401	Electronic Service	Yes	OFF_SL_13-868_Official
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_13-868_Official

[illegible]

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Jon	Brekke	jbrekke@grenergy.com	Great River Energy	12300 Elm Creek Boulevard  Maple Grove, MN 553694718	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
B. Andrew	Brown	brown.andrew@dorsey.com	Dorsey & Whitney LLP	Suite 1500 50 South Sixth Street Minneapolis, MN 554021498	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
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	SPL_SL_13-868_Potentially Interested Parties
Sara	Cardwell	scardwell@nd.gov	North Dakota Public Service Commission	State Capital 12th Floor, Dept 408 600 E. Boulevard Avenue Bismarck, ND 58505-0480	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Aakash	Chandarana	Aakash.Chandara@xcenergy.com	Xcel Energy	414 Nicollet Mall 5th Floor Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Christopher	Clark	christopher.b.clark@xcenergy.com	Xcel Energy	414 Nicollet Mall, 5th Floor,  Minneapolis, Minnesota 55401	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Katie	Clark Sieben	katie.clark.sieben@state.mn.us	DEED	332 Minnesota St, #E200 1st National Bank Bldg Saint Paul, MN 55101	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Jeanne	Cochran	Jeanne.Cochran@state.mn.us	Office of Administrative Hearings	P.O. Box 64620  St. Paul, MN 55164-0620	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
George	Crocker	gwillc@nawo.org	North American Water Office	PO Box 174  Lake Elmo, MN 55042	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Jerry	Dasinger	jerry.dasinger@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East  St. Paul, MN 551012147	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Jeffrey A.	Daugherty	jeffrey.daugherty@centerpointenergy.com	CenterPoint Energy	800 LaSalle Ave  Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Dustin	Denison	dustin@appliedenergyinnovations.org	Applied Energy Innovations	4000 Minnehaha Ave S  Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
James	Denniston	james.r.denniston@xcelenergy.com	Xcel Energy Services, Inc.	414 Nicollet Mall, Fifth Floor  Minneapolis, MN 55401	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Mike	Diller	mdiller@nd.gov	North Dakota Public Service Commission	600 E. Boulevard, Dept. 408  Bismarck, ND 58505-0480	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Ian	Dobson	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Antitrust and Utilities Division 445 Minnesota Street, 1400 BRM Tower St. Paul, MN 55101	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
John	Doll	john@johndollsd40.org		10918 Southview Drive  Burnsville, MN 55337	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Randall	Doneen	randall.doneen@state.mn.us	Department of Natural Resources	500 Lafayette Rd, PO Box 25  Saint Paul, MN 55155	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Bill	Droessler	N/A	Izaak Walton League of America-MWO	1619 Dayton Ave Ste 202  Saint Paul, MN 55104	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Rebecca	Eilers	rebecca.d.eilers@xcelenergy.com	Xcel Energy	414 Nicollet Mall, 7th Floor  Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
John	Flumerfelt	jflumerfelt@calpine.com	CalpineCorporation	500 Delaware Ave.  Wilmington, DE 19801	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Edward	Garvey	garveyed@aol.com	Residence	32 Lawton St  Saint Paul, MN 55102	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Benjamin	Gerber	bgerber@mnchamber.com	Minnesota Chamber of Commerce	400 Robert Street North Suite 1500 St. Paul, Minnesota 55101	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Travis	Germundson	travis.germundson@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Janet	Gonzalez	Janet.gonzalez@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 55101	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Elizabeth	Goodpaster	bgoodpaster@mncenter.org	MN Center for Environmental Advocacy	Suite 206 26 East Exchange Street St. Paul, MN 551011667	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Lloyd	Grooms	lgrooms@winthrop.com	Winthrop and Weinstine	Suite 3500 225 South Sixth Street Minneapolis, MN 554024629	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Todd J.	Guerrero	todd.guerrero@kutakrock.com	Kutak Rock LLP	Suite 1750 220 South Sixth Street Minneapolis, MN 554021425	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Burl W.	Haar	burl.haar@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East St. Paul, MN 551012147	Electronic Service	Yes	SPL_SL_13- 868_Potentially Interested Parties
J Drake	Hamilton	hamilton@fresh-energy.org	Fresh Energy	408 St Peter St  Saint Paul, MN 55101	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Sam	Hanson	shanson@briggs.com	Briggs and Morgan, PA	2200 IDS Center 80 South Eighth Street Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Robert	Harding	robert.harding@state.mn.us	Public Utilities Commission	Suite 350 121 7th Place East  St. Paul, MN 55101	Electronic Service	Yes	SPL_SL_13- 868_Potentially Interested Parties
Thomas P.	Harlan	harlan@mdh-law.com	Madigan, Dahl & Harlan, P.A.	222 South Ninth Street Suite 3150 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Richard	Haubensak	RICHARD.HAUBENSAK@ CONSTELLATION.COM	Constellation New Energy Gas	Suite 200 12120 Port Grace Boulevard La Vista, NE 68128	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Leah	Hedman	Leah.Hedman@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St Saint Paul, MN 55101	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Annete	Henkel	mui@mutilityinvestors.org	Minnesota Utility Investors	413 Wacouta Street #230 St.Paul, MN 55101	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Patrick	Hentges		City Of Mankato	P.O. Box 3368  Mankato, MN 560023368	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Anne	Jackson	anne.jackson@state.mn.us	MN Pollution Control Agency	520 Lafayette Road  St Paul, MN 55115	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Arshia	Javaherian	arshia.javaherian@enbridge.com	Enbridge Energy	26 East Superior Street Suite 309 Duluth, MN 55802	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Alan	Jenkins	aj@jenkinsatlaw.com	Jenkins at Law	2265 Roswell Road Suite 100 Marietta, GA 30062	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Linda	Jensen	linda.s.jensen@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota Street  St. Paul, MN 551012134	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Eric	Jensen	ejensen@iwla.org	Izaak Walton League of America	Suite 202 1619 Dayton Avenue St. Paul, MN 55104	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Richard	Johnson	Rick.Johnson@lawmoss.com	Moss & Barnett	90 South 7th Street Suite #4800 Minneapolis, MN 554024129	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Clark	Kaml	clark.kaml@state.mn.us	Public Utilities Commission	121 E 7th Place, Suite 350  Saint Paul, MN 55101	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Mark J.	Kaufman	mkaufman@ibewlocal949.org	IBEW Local Union 949	12908 Nicollet Avenue South  Burnsville, MN 55337	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Nancy	Kelly	bademailnancyk@eurekarecycling.org	Eureka Recycling	2828 Kennedy Street NE  Minneapolis, MN 55413	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500  St. Paul, MN 55101	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Jerome	Kleis	N/A		12060 Sherburne Ave Becker City Hall Becker, MN 55308-4694	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Hank	Koegel	hank.koegel@edf-re.com	EDF Renewable Eenergy	10 2nd St NE Ste 400  Minneapolis, MN 55413-2652	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Thomas G.	Koehler	N/A	Local Union #160, IBEW	2909 Anthony Ln  Minneapolis, MN 55418-3238	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Mara	Koeller	mara.n.koeller@xcelenergy.com	Xcel Energy	414 Nicollet Mall 5th Floor Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Frank	Kohlasch	frank.kohlasch@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd N.  St. Paul, MN 55155	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Michael	Krikava	mkrikava@briggs.com	Briggs And Morgan, P.A.	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd  Saint Paul, MN 55155	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Douglas	Larson	dlarson@dakotaelectric.com	Dakota Electric Association	4300 220th St W  Farmington, MN 55024	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Chuck	Legatt	N/A	Liberty Paper Inc	13500 Liberty Ln  Becker, MN 55308-4623	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Mark	Lindquist	N/A	The Minnesota Project	57107 422nd St  New Ulm, MN 56073-4321	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Mark S	Lindquist	mark.lindquist@state.mn.us	Natural Resources Dept	261 Highway 15 S DNR S Region HQ New Ulm, MN 56073-8915	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Eric	Lipman	eric.lipman@state.mn.us	Office of Administrative Hearings	PO Box 64620  St. Paul, MN 551640620	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Matthew P	Loftus	matthew.p.loftus@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 5  Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Paula	Maccabee	Pmaccabee@justchangelaw.com	Just Change Law Offices	1961 Selby Avenue  St. Paul, MN 55104	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Susan	Mackenzie	susan.mackenzie@state.mn.us	Public Utilities Commission	Suite 350121 7th Place East  St. Paul, MN 551012147	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Kavita	Maini	kmmaini@wi.rr.com	KM Energy Consulting LLC	961 N Lost Woods Rd  Oconomowoc, WI 53066	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Pam	Marshall	pam@energycents.org	Energy CENTS Coalition	823 7th St E  St. Paul, MN 55106	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Mary	Martinka	mary.a.martinka@xcelenergy.com	Xcel Energy Inc	414 Nicollet Mall 7th Floor Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
John	Marty	jmarty@senate.mn		75 Rev Dr Martin Luther King Jr Blvd Rm 323  Saint Paul, MN 55155	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Daryl	Maxwell	dmaxwell@hydro.mb.ca	Manitoba Hydro	360 Portage Ave FL 16 PO Box 815, Station Main Winnipeg, Manitoba R3C 2P4  Canada	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Susan	Medhaug	Susan.medhaug@state.mn.us	Department of Commerce	Suite 500, 85 Seventh Place East  St. Paul, MN 551012198	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Brian	Meloy	brian.meloy@leonard.com	Leonard, Street & Deinard	150 S 5th St Ste 2300  Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
David	Moeller	dmoeller@allete.com	Minnesota Power	30 W Superior St  Duluth, MN 558022093	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Andrew	Moratzka	apmoratzka@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Dorothy	Morrissey	dorothy.morrissey@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 55101	Electronic Service	Yes	SPL_SL_13- 868_Potentially Interested Parties
Alan	Muller	amuller@dca.net		113 W. 8th Street  Red Wing, MN 55066	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Carl	Nelson	cnelson@mncee.org	Center for Energy and Environment	212 3rd Ave N Ste 560  Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
David W.	Niles	david.niles@avantenergy.com	Minnesota Municipal Power Agency	Suite 300 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties

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Rolf	Nordstrom	rnordstrom@gpisd.net	Great Plains Institute	2801 21ST AVE S STE 220  Minneapolis, MN 55407-1229	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Steven	Nyhus	swnyhus@flaherty- hood.com	Flaherty & Hood PA	525 Park St Ste 470  Saint Paul, MN 55103	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Adam	Oliver	N/A		12060 Sherburne Ave Becker City Hall Becker, MN 55308	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Thomas L.	Osteraas	bademailthomasosteraas@ leonard.com	Excelsior Energy	150 South 5th Street Suite 2300  Minneapolis, MN 55402	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office	1110 West Avenue  Red Wing, MN 55066	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Bob	Patton	bob.patton@state.mn.us	MN Department of Agriculture	625 Robert St N  Saint Paul, MN 55155-2538	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Joshua	Pearson	N/A	enXco, Inc.	15445 Innovation Drive  San Diego, CA 92128	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Ewald	Petersen	N/A		13880 Business Center Sherburne County Government Center Elk River, MN 55330-1692	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Jason	Pfingsten	N/A	Liberty Paper Inc	13500 Liberty Ln  Becker, MN 55308-4623	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties

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Joseph V.	Plumbo		Local Union 23, I.B.E.W.	932 Payne Avenue  St. Paul, MN 55130	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Greg	Pruszinski	N/A		12060 Sherburne Ave Becker City Hall Becker, MN 55308	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Kevin	Reuther	kreuther@mncenter.org	MN Center for Environmental Advocacy	26 E Exchange St, Ste 206  St. Paul, MN 551011667	Electronic Service	Yes	SPL_SL_13- 868_Potentially Interested Parties
John	Riebel	N/A		13880 Business Center Dr NW Sherburne County Government Center Elk River, MN 55330-1692	Paper Service	No	SPL_SL_13- 868_Potentially Interested Parties
Michele	Ross	michele.ross@state.mn.us	Department of Health	625 N Robert St  Saint Paul, MN 55101	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Richard	Savelkoul	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	332 Minnesota Street Ste W2750  St. Paul, MN 55101	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Jamie	Schrenzel	jamie.schrenzel@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road  Saint Paul, MN 55117	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Matthew J.	Schuerger P.E.	mjsreg@earthlink.net	Energy Systems Consulting Services, LLC	PO Box 16129  St. Paul, MN 55116	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties
Robert H.	Schulte	rhs@schulteassociates.com	Schulte Associates LLC	15347 Boulder Pointe Road  Eden Prairie, MN 55347	Electronic Service	No	SPL_SL_13- 868_Potentially Interested Parties

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Dave	Sederquist	dave.sederquist@xcelenergy.com	Xcel Energy	2302 Great N Drive  Fargo, ND 58102	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	Ste 122 9100 W Bloomington Frwy Bloomington, MN 55431	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Christopher	Shaw	christopher.shaw@ag.state.mn.us	Office of the Attorney General-RUD	Bremer Tower, Suite 1400 445 Minnesota Street St. Paul, MN 55101-2131	Electronic Service	Yes	SPL_SL_13-868_Potentially Interested Parties
Ken	Smith	ken.smith@districtenergy.com	District Energy St. Paul Inc.	76 W Kellogg Blvd  St. Paul, MN 55102	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Anna	Sommer	N/A	Sommer Energy LLC	PO Box 766  Grand Canyon, AZ 86023	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Chanti	Sourignavong	chantipal.sourignavong@honeywell.com	Honeywell	1985 Douglas Drive North MN10-111A Golden Valley, MN 55422-3992	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Ron	Spangler, Jr.	rlspangler@otpc.com	Otter Tail Power Company	215 So. Cascade St. PO Box 496 Fergus Falls, MN 565380496	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Byron E.	Starns	byron.starns@leonard.com	Leonard Street and Deinard	150 South 5th Street Suite 2300 Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
James M.	Strommen	jstrommen@kennedy-graven.com	Kennedy & Graven, Chartered	470 U.S. Bank Plaza 200 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties

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Steve	Taylor	steve.taylor@co.sherburne.mn.us	Sherburne County	13880 Hwy 10  Elk River, MN 55330	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
SaGonna	Thompson	Regulatory.Records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7  Minneapolis, MN 554011993	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Douglas	Tiffany	tiffa002@umn.edu	University of Minnesota	316d Ruttan Hall 1994 Buford Avenue St. Paul, MN 55108	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Jessica	Tritsch	jessica.tritsch@sierraclub.org	Sierra Club	2327 E Franklin Ave  Minneapolis, MN 55406	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Kari L	Valley	kari.l.valley@xcelenergy.com	Xcel Energy Service Inc.	414 Nicollet Mall FL 5  Minneapolis, MN 55401	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
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	SPL_SL_13-868_Potentially Interested Parties
Scott M.	Wilensky	scott.wilensky@xcelenergy.com	Xcel Energy	7th Floor 414 Nicollet Mall Minneapolis, MN 554011993	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Brian	Zelenak	brian.r.zelenak@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7  Minneapolis, MN 55401-1993	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties
Jonathan G.	Zierdt	N/A	Greater Mankato Growth	1961 Premier Dr Ste 100  Mankato, MN 56001	Paper Service	No	SPL_SL_13-868_Potentially Interested Parties
Patrick T.	Zomer	Patrick.Zomer@lawmoss.com	Moss & Barnett a Professional Association	90 S 7th Street, #4800  Minneapolis, MN 55402-4129	Electronic Service	No	SPL_SL_13-868_Potentially Interested Parties