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Xcel Energy

Docket No.: EL16-001

Response To: South Dakota Public
Utilities Commission

Data Request No. 1-1

Requestor: Adam DeHueck

Date Received: January 13, 2016

Question:

Why was this refund filed as a new docket as opposed to a filing in EL11-023?

Response:

Under Docket No. EL 11-023 the Commission had already reviewed, acted upon, and directed disposition of the five (5) DOE Settlement payments associated with the 2011 Settlement Agreement for damages for the 1989-2013 period. As a point of clarification and correction, the Company's litigation for damages began in 1998, which claimed damages back to 1989. We are now seeking authority to make refunds pursuant to the January 2014 agreement that extended the 2011 Settlement and established that there would be three (3) further payments for damages incurred during the 2014-2016 period. While we are proposing that the Commission authorize the same customer refund method, given the new agreement, it seemed appropriate that we seek approval under a new docket number in order to help highlight the fact that the our filing contained information the Commission had not previously reviewed.

There was no other intended distinction and the Company would accept whatever docketing Staff would recommend as most appropriate.

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