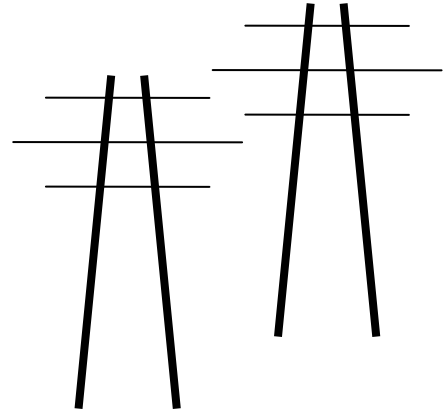


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December 23, 2015

Jeffrey Oxley
Administrative Law Judge
Office of Administrative Hearing
P.O. Box 64620
St. Paul, Minnesota 55164-0620

U.S. Mail and eFiled

RE: Petition for Intervention and Notice of Appearance
Northern States Power Company Rate Case
PUC Docket No. E002/CI-15-826

Dear Judge Oxley:

Attached please find Petition for Intervention and Notice of Appearance of Carol A. Overland (as individual) and No CapX 2020.

Please let me know if you have any questions or require anything further.

Very truly yours,

Carol A. Overland
Attorney at Law

Enclosure: Petition for Intervention and Notice of Appearance

cc: Parties and others eServed via eDockets

CERTIFICATE OF SERVICE

**In the Matter of the Application of
Northern States Power Company, doing
business as Xcel Energy, for Authority to
Increase Rates for Electric Service in the
State of Minnesota**

**OAH Docket No. 19-2500-33074
PUC Docket No. E002/GR-15-826**

I, Carol A. Overland, hereby certify that I have this day, served copies of the attached No CapX 2020 and Carol A. Overland Petition for Intervention by electronic filing eService and U.S. Mail.

Dated: December 23, 2015



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#254617

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
for the
MINNESOTA PUBLIC UTILITIES COMMISSION**

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

**OAH Docket No. 19-2500-33074
PUC Docket No. E002/GR-15-826**

NOTICE OF APPEARANCE

TO: Administrative Law Judge Jeffery Oxley
Office of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620

NAME OF PARTY: Carol A. Overland (as individual) and No CapX 2020
ADDRESS: 1110 West Avenue
Red Wing, MN 55066

You are advised that the parties above named will appear in this matter:

PARTY'S ATTORNEY NAME, ADDRESS, TELEPHONE AND EMAIL:

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DATE: December 23, 2015



**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
for the
MINNESOTA PUBLIC UTILITIES COMMISSION**

**In the Matter of the Application of
Northern States Power Company, doing
business as Xcel Energy, for Authority to
Increase Rates for Electric Service in the
State of Minnesota**

**OAH Docket No. 19-2500-33074
PUC Docket No. E002/GR-15-826**

PETITION FOR INTERVENTION

No CapX 2020 and Carol A. Overland hereby make this Petition for Intervention as full parties, with all the rights of a party, in the above-captioned Northern States Power (hereinafter “NSP”) rate case docket. No CapX 2020 and Carol A. Overland request leave to intervene as provided generally by Minn. R. 7829.0800 and specifically in Minn. R. 7843.0300, Subp. 7, and pursuant to the Commission’s Order of December 22, 2015.

No CapX 2020 is a Minnesota non-profit business organization¹ in good standing, established in August, 2008. No CapX 2020 has intervened in many dockets before the Minnesota Public Utilities Commission and Wisconsin Public Service Commission, including CapX 2020 Certificate of Need and Routing dockets, ITC Midwest Certificate of Need and Routing dockets, and regular participation in Commission rulemakings, notably Minn. R. Ch. 7849 (Need) and Minn. R. Ch. 7850 (Routing), ongoing for over two years. No CapX has also filed Amicus Briefs in Buy the Farm cases before the Court of Appeals and Supreme Court.

¹ No CapX 2020 was organized under Minn. Stat. Ch. 317A, File No. 2964905-2, on August 11, 2008.

Carol A. Overland (hereinafter “Overland”) is a Minnesota attorney who for the last 20 years has focused on the “big picture” of energy, need for transmission, and the role of bulk power transmission of coal generated electricity cross country. Overland has represented numerous individuals and organizations, including No CapX 2020, before the Commission in Certificate of Need, Routing, Power Plant Siting, Power Purchase Agreement, rulemaking, PPSA Annual Hearings, and other proceedings in various other jurisdictions and venues, from New Jersey’s Susquehanna-Roseland line, Delaware’s RFP docket with competing coal gasification, gas and wind and the DOE’s NEITC program with Green Delaware, the DOE §1222 proposal of Plains & Eastern Clean Line through Arkansas, and monitoring the rehearing and settlement efforts in the PJM cost allocation docket at FERC. Overland has also regularly attended and participated in transmission planning groups, local government transmission planning and zoning, and in successful renewable energy grant writing. Overland has appeared before House and Senate Energy and other committees and argued against the legislative shift from state authority toward federal authority and regional transmission; statutory incentives for the regional transmission build-out; the construction work in progress rider; repeal of the “alternate site mandate” and utility exemptions from Ch. 117; and for equitable compensation in eminent domain proceedings and for a direct link between Renewable Energy Standard/Portfolio and shut down of fossil fuel, all of which have a direct impact on cost of electricity and rates.

This combined effort in this intervention pools interest, skills, resources and time to participate in this intensive rate case docket.²

No CapX 2020 interests in this rate case focus on, but are not limited to, use of a Multi-Year Rate Plan and transmission rate recovery issues. For example:

² See, for example, Minnesota Center for Environmental Advocacy representation of parties and as intervenor in multiple dockets such as CapX 2020 CoN (06-1115) and previous Northern States Power rate case (13-868).

- NSP claims that the CapX 2020 Fargo and Brookings projects are “in service” but does not claim that they are “used and useful.” No CapX has concerns as to whether they are indeed “used and useful.”
- NSP has requested to recover costs of CapX 2020 Brookings Project and Fargo Project in base rates, shifting from the construction work in progress Transmission Cost Recovery rider to general rates. NSP analogizes this rate recovery with the within-Minnesota MERP project, and now requests similar recovery in its Multi-Year Plan.
- Rate recovery plan for the other CapX projects?
- No CapX is concerned about potential double-recovery in TCR rider and general rates.
- MISO’s FERC authorized rate of return is roughly 12.38%. What rate would NSP seek under its Minnesota general rates?
- The Brookings CapX project is a “Multi-Value” project. No CapX is concerned about cost recovery for “Multi-Value” projects, which are projects that are presented as a portfolio where each transmission zone is responsible for a percentage of the revenue requirement for the group of 17 projects, not just those within its zone area.
- No CapX is concerned about the equity of rate recovery authorized by FERC under Schedule 26A, and others.
- NSP proposes recovery schemes that raise jurisdictional issues between Minnesota v/and FERC for MVP Portfolio projects.
- NSP argues that regional transmission expenses, in FERC Accounts 565, 566 and 575 “could be considered capital-related,” and revenue from shared facilities is reported in FERC 456, and the Commission should carefully scrutinize these accounts and any others and consider the different rate recovery schemes and allowed return.

These and other issues are ones of concern to No CapX 2020, many of which were raised in other proceedings, but which were not addressed because the cost allocation scheme and rate recovery had not yet been set, and because those dockets were transmission dockets, not a rate case. No CapX Petitions to intervene to address these and other issues in this rate case.

Under the provisions of Minn. R. 7829.0800 and Minn. R. 7843.0300, Subp. 7, No CapX 2020 makes this Petition for intervention as a full party, with all the rights of a party, in the

above-captioned proceeding. As ratepayers, individuals, members, and organizations working with No CapX 2020 will be directly affected by the outcome of this proceeding. As participants in transmission need and routing dockets, where cost allocation and rate structure and recovery were at issue, these rate related issues were raised by parties but were not addressed because those dockets were not rate cases.

The interests of No CapX 2020 and Carol A. Overland are distinct from other intervenors due to the our freedom from funding incentives and requirements to advocate certain issues and positions, particularly promotion of transmission, transmission cost allocation and finish rate recovery schemes. No CapX is interested in the shift of focus from native load to market transactions, and jurisdictional issues present in the subtle and not-so-subtle shifting toward legitimization of “regional” planning and rate authority, and away from state and Commission authority.

There are no Intervenors or parties requesting Intervention that could or would represent the distinct joint interests of No CapX.

No CapX meets the criteria for intervention and respectfully requests intervention as a full party, participating jointly, with all the rights of a party, in the above-captioned proceeding.

Respectfully submitted,



Dated: December 23, 2015

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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