



# Minnesota Center for Environmental Advocacy

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Using law, science, and research to protect Minnesota's environment, its natural resources, and the health of its people.

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January 25, 2016

The Honorable Jeffrey Oxley  
Administrative Law Judge  
600 North Robert Street  
P.O. Box 64620  
St. Paul, MN 55164-0620

**VIA ELECTRONIC SERVICE**

*Re: In the Matter of the Application of Northern States Power Company for  
Authority to Increase Rates for Electric Service in the State of Minnesota  
PUC Docket No.: E-002/GR-15-826*

Dear Judge Oxley,

In connection to the above-captioned docket enclosed please find the Petition to Intervene filed on behalf of Fresh Energy, Sierra Club, Wind on the Wires, National Resources Defense Council, and Minnesota Center for Environmental Advocacy (collectively "Clean Energy Organizations"). Also attached is an affidavit of service.

Sincerely,

/s/ Hudson B. Kingston  
Hudson B. Kingston  
Staff Attorney

HBK/em

Enclosure

cc: Service List

**STATE OF MINNESOTA  
THE PUBLIC UTILITIES COMMISSION**

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

PUC Docket No. E-002/GR-15-826

**PETITION TO INTERVENE OF FRESH ENERGY, SIERRA CLUB,  
WIND ON THE WIRES, NATURAL RESOURCES DEFENSE COUNCIL,  
AND MINNESOTA CENTER FOR ENVIRONMENTAL ADVOCACY**

Pursuant to Minn. R. 1400.6200, Fresh Energy, Sierra Club, Wind on the Wires (“WOW”), Natural Resources Defense Council (“NRDC”), and Minnesota Center for Environmental Advocacy (“MCEA”) (collectively, “Petitioners”) hereby petition to intervene in the above-referenced docket.

Fresh Energy is a nonprofit organization that works in the public interest to catalyze state and regional policy and regulation that will stimulate the technological advancements necessary for an energy system that sustains the economy, people, and the planet. Sierra Club is a national nonprofit environmental organization with over 620,000 members working to protect and promote safe and healthy communities, to practice and promote the responsible use of the Earth’s ecosystems and resources, and to protect and restore the environment. A large portion of Sierra Club’s Minnesota members are Northern States Power Company’s (“NSP” or “the Company”) ratepayers. Sierra Club’s Beyond Coal Campaign advocates for a nationwide transition from coal to clean energy in the electric sector and supports efforts by federal and state regulators to address the causes and impacts of climate change. WOW is a policy organization focused on prioritizing the delivery of large amounts of all types of wind energy to markets in the Upper Midwest, and represents members who produce wind power and technology who have a direct interest in energy rates at issue in this case. WOW is actively engaged in wind power and

transmission issues in both technical and regulatory arenas in the MISO footprint. NRDC is a national nonprofit with over thirty years of experience working on state energy policy, including utility regulation and energy efficiency. NRDC's membership includes approximately 7,263 Minnesota residents, a large number of whom are NSP customers. MCEA is a nonprofit environmental organization that works in the courts, the legislature, and state agencies to protect Minnesota's wildlife, natural resources and the health of its people. MCEA's five program areas include an Energy Program to advance the pursuit of environmentally sustainable energy policies. A majority of MCEA's members are NSP ratepayers.

Consistent with their respective missions, Petitioners regularly participate in resource planning, evaluation and acquisition matters before the Minnesota Public Utilities Commission ("the Commission"), with an interest in advancing resource choices that minimize or eliminate pollutant emissions, and maximize energy efficiency. Because rate determinations have a direct impact on both utility and consumer behavior and investment, Petitioners have an interest in the outcome of this proceeding. Petitioners have participated in past NSP rate cases, advocating for their members' legal rights and interests.

Petitioners are directly affected by and have an interest in addressing NSP's proposal to increase its fixed customer charge for residential and small commercial customers, a proposal that dampens the incentive for customers to conserve energy. A revenue structure that removes disincentives for the utility to promote energy efficiency directly affects Petitioners, whose missions include promotion of efficiency and conservation. In addition, Petitioners have an interest in NSP's recently-adopted revenue decoupling pilot as a means to accomplish the utility's energy conservation goals. Petitioners were instrumental in supporting the adoption of decoupling in the Company's last rate case. While the Company appears to propose no changes

to its revenue decoupling mechanism in its current filing, Petitioners remain interested in the continued implementation of the mechanism as a tool that may obviate the Company's request for a customer charge increase in this rate case. Petitioners are interested in ensuring that the Company's apportionment of costs and rate design are crafted so as to advance the goals of energy conservation, energy efficiency, and affordability. Finally, Petitioners are participating in the Commission's parallel docket on alternative rate design that arose under NSP's prior rate case, and participation in that other proceeding will inform Petitioners' ability to participate in the rate design discussions that will continue to be incidental to the rate case. Without Petitioners' continued participation in both dockets it is more likely that the two proceedings will reach inconsistent outcomes due to divergent goals.

Petitioners will also be interested in contributing to the discussion of NSP's distribution investments, and how they will meet the need for a modernized grid that supports and properly incorporates distributed generation. By the same token, Petitioners are interested in supporting renewable energy expansion from sources of all scales, including transmission infrastructure to support such projects. To the extent that NSP is proposing grid modernization projects both in this rate case and in a parallel Commission docket, Petitioners will be able to add unique perspective on these proposals and their usefulness in meeting efficiency and clean energy goals. Grid modernization and transmission funding under this rate case have a direct bearing on the legal rights of Petitioners' members, as well.

Petitioners also have a general interest in understanding fully the relationship between lower consumer energy demand and the rates charged under modern rate design structures such as decoupling. Petitioners are particularly interested in the effect rate changes could have on the transition away from existing fossil fuel-based resources. Petitioners support directing ratepayer

money to investments in clean energy resources and programs that hasten the transition away from fossil fuels in order to protect ratepayers from future risks. Petitioners' attention to the environmental and public health consequences, direct or indirect, of the outcome of this proceeding is unique.

For the foregoing reasons, Petitioners respectfully request full party status in this matter. If allowed, Petitioners intend to participate in this contested case jointly.

Dated: January 25, 2016

Respectfully submitted,

/s/ Hudson B. Kingston

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*Attorney for Fresh Energy, Sierra Club, Wind on the Wires, and Minnesota Center for Environmental Advocacy*

/s/Samantha Williams

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STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE 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

**AFFIDAVIT OF SERVICE**

MPUC Docket No. E-002/GR-15-826

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF RAMSEY    )

Erin Mittag being duly sworn, says that on the 25<sup>th</sup> day of January, 2016, she served via U.S. mail and e-dockets the following:

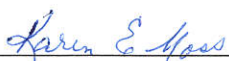
- Petition to Intervene on behalf of Fresh Energy, Sierra Club, Wind on the Wires, National Resources Defense Council, and Minnesota Center for Environmental Advocacy (collectively "Clean Energy Organizations").

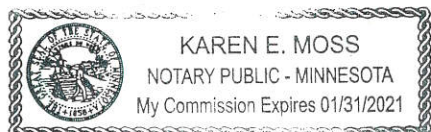
on the following persons, in this action, by filing through e-dockets or mailing to them a copy thereof, enclosed in an envelope, postage prepaid, and by depositing the same in the post office at St. Paul, Minnesota, directed to said persons at the last known mailing address of said persons:

Attached Service List.

  
Erin Mittag

Subscribed and sworn to before me  
this 25<sup>th</sup> day of January, 2016

  
Karen Moss



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