

BEFORE THE MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS
600 North Robert Street
St. Paul, Minnesota 55101

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION
121 Seventh Place East, Suite 350
St. Paul, Minnesota 55101-2147

Katie Sieben	Chair
Joseph K. Sullivan	Commissioner
Valerie Means	Commissioner
John Tuma	Commissioner
Matthew Schuerger	Commissioner

In the Matter of the Application of
Northern States Power Company d/b/a
Xcel Energy for Authority to Increase
Rates for Electric Service in the State of
Minnesota

OAH Docket No. 22-2500-37994
PUC Docket No. E-002/GR-21-630

**NORTHERN STATES POWER COMPANY'S
OBJECTION TO CAROL A. OVERLAND'S PETITION TO INTERVENE**

Northern States Power Company d/b/a Xcel Energy ("Xcel") respectfully objects to the petition to intervene "as a full party, with all the rights of a party," filed by Carol A. Overland ("Petitioner") because Petitioner has not met the standard set forth in Minnesota Rule 7829.0800, subpart 2 to participate as a "full party." Petitioner has not demonstrated, among other things: (A) that she holds any interest in Xcel's current rate case that is "peculiar" and that the outcome of this proceeding will "bind or affect" a unique interest; or (B) that any such interest will not be adequately represented by pre-existing parties such as the Department of Commerce, Office of the Attorney General, or Citizens Utility Board. *See id.*

As a threshold matter, it is Petitioner’s burden to “allege the grounds for intervention” and make an adequate “showing” of her right to intervene. Minn. R. 7829.0800, subp. 2. Petitioner has failed to meet this *prima facie* burden. Petitioner does not claim that she has any “peculiar interest” that will be affected by the Minnesota Public Utilities Commission (“MPUC”) decisions in this proceeding. Indeed, Petitioner does not even state that she is an Xcel ratepayer—an interest that would, in any event, be adequately represented by the other parties already participating in this proceeding. *See In re MCI Commc’ns Corp.*, Dkt. No. P-443,3012/PA-97-1532, 1998 WL 307947 (Minn. P.U.C. 1998) (holding interests “common to the general ratepayers . . . are properly represented by the Department,” and therefore are not grounds for intervention).

Petitioner merely states that she is “interested” in learning about various topics that may be at issue in this proceeding, ranging from “rate case treatment of transmission costs” to “the notion of transmission capit[a]l and service costs and line costs as an externality associated with development of renewable energy resources.” (Petition at 2.) But being “interested” in issues as a matter of intellectual curiosity does not make that person “interested” under Rule 7829.0800 to intervene as a “full party.”

Petitioner need not be granted the status of a “full party” to satisfy her curiosity in the topics that may come before the Commission in this proceeding. She can participate as all other members of the public can participate—through the public hearing and comment process. *See* Minn. R. 7829.0100, subp. 13; Minn. R. 7829.0900. She will also have the ability to review all public filings for educational purposes.

In summary, Petitioner has not satisfied the requirements for intervention set forth in Rule 7829.0800, subpart 2, and her petition to intervene should be denied.

Dated: January 3, 2022

WINTHROP & WEINSTINE, P.A.

By: /s/ Eric F. Swanson

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