

The Commission met on **January 21, 2010**, with Commissioners Boyd, O'Brien, Pugh, and Reha present.

The following matters were taken up by the Commission:

ENERGY AGENDA

G-007,011/AI-09-1244

In the Matter of a Request for Approval of a Modification to the Affiliated Interest Agreement Related to the Formation and Operation of Integrys Business support, LLC

Commissioner Pugh moved that the Commission approve the changes to the Master AIA as proposed by MERC.

The motion passed, 4 - 0.

E-017/M-09-109

In the Matter of the Annual Update Filing of Otter Tail Power company for Approval of Distributed Generation Rates

Commissioner O'Brian moved that the Commission:

1. Approve the petition with the modification agreed upon by the parties; and
2. Direct the Company to explain changes both in formulas and in values in future update filings.

The motion passed, 4 - 0.

E-002/CN-09-1390

In the Matter of the Application of Northern States Power Company, a Minnesota Corporation, for a Certificate of Need to Upgrade the Glencoe-Waconia Transmission Line to 115 kV

Commissioner Pugh moved that the Commission approve Xcel's proposed notice plan modified as follows:

1. Xcel shall add Benton and Dahlgren townships to the proposed list of local governments.
2. Xcel shall revise the notice language to include mention of a phone number for the Commission for the resident/landowner notice and governmental notice.
3. Xcel shall use a 1,000 foot width for the notice corridor for the West Glencoe – East Glencoe segment.

The motion passed, 4 - 0.

E-002/CN-08-509

In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy for Certificate of Need for an Extended Power Uprate at the Prairie Island Nuclear Generating Plant

E-002/CN-08-510

In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy for Certificate of Need for Additional Dry Cask Storage at the Prairie Island Nuclear Generating Plant

E-002/GS-08-690

In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy for an LEPGP Site Permit for the Extended Power Uprate Project at the Prairie Island Nuclear Generating Plant

Commissioner Reha moved to grant reconsideration of the Commission's Order Accepting Environmental Impact Statement, and Granting Certificates of Need and Site Permit with Conditions (December 18, 2009) with respect to the following items:

1. The Commission's finding at page 20 that wells around the Prairie Island Plant have "never demonstrated tritium levels significantly higher than 10% of the limit allowable in drinking water" of 20,000 pico-Curies per liter (pCi/l).
2. The City of Red Wing's concern that the Order neglects to analyze problems related to the Emergency Response Plan in the context of the Extended Power Uprate proposal.

The motion passed 4 - 0.

Commissioner Reha moved to do the following:

1. With respect to tritium –
 - A. Revise the Order to acknowledge that on one occasion in 2006 the tritium level in one well near the Prairie Island Plant almost reached 19% of the limit for safe drinking water.
 - B. Find that this revision does not change the Commission's decision to grant the Certificates of Need and Site Permit.
2. With respect to the Emergency Response Plan –
 - A. Find that the Commission's concurrence in the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommendations (October 21, 2009), Findings 175 - 253, addresses the City's concerns.

- B. Clarify that the Commission's analysis at pages 20 - 22 applies to the Extended Power Uprate proposal as well.
- C. Find that this clarification does not change the Commission's decision to grant the Certificate of Need.

The motion passed 4 - 0.

Commissioner O'Brien moved to deny the petitions for reconsideration in all other respects.

The motion passed 4 - 0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: FEBRUARY 3, 2010



Burl W. Haar, Executive Secretary