

The Commission met on **Thursday, May 15, 2014**, with Chair Heydinger, and Commissioners Lange, Lipschultz, and Wergin present.

The following matters were taken up by the Commission:

## **ENERGY AGENDA**

### **G-008/M-14-258**

#### **In the Matter of the Petition for Approval of a Miscellaneous Rate Change Related to Transportation Service Daily Balancing Charges**

Commissioner Wergin moved to take the following actions:

1. Approve CenterPoint Energy's proposed daily balancing charges, as identified in Table 1 of the Department's April 8, 2014 comments, on May 1, 2014 or the first day of the next month following the Commission's order in this matter, for gas service rendered by the Company on or after that date; and
2. Within 10 days of the Commission's order, require the Company to submit a compliance filing with the relevant tariff sheets that comply with the Commission's determination in this matter.

The motion passed 4-0.

### **E-001/M-14-105**

#### **In the Matter of a Request to Update the Interstate Power and Light Company's Electric Tariff Charges**

Commissioner Lange moved to request Interstate Power and Light Company to file updated local sales and use taxes as an informational filing with the Commission when such charges occur.

The motion passed 4 -0.

### **E-002/M-12-1278**

#### **In the Matter of a Request by Xcel Energy to Issue Renewable Development Fund Cycle 4 Requests for Proposals and Petition for Approval of a Standard Grant Contract**

Commissioner Heydinger moved to deny ~~Xcel's~~ [Minnesota Go Solar LLC's](#) petition for reconsideration, effective as of May 15, 2014.

The motion passed 4-0.

**E-999/M-14-65**

**In the Matter of Establishing a Distributed Solar Value Methodology under Minn. Stat. § 216B.164, subd. 10 (e) and (f)**

Commissioner Lange moved to deny Xcel's petition for reconsideration.

The motion passed 4-0.

## **TELECOMMUNICATIONS AGENDA**

**P-6916/M-13-675**

**In the Matter of the Petition of American Broadband and Telecommunications Company (ABT) for Designation as an Eligible Telecommunications Carrier (ETC) in Minnesota**

Commissioner Lipschultz moved to take the following actions:

1. Find that ABT meets the common-carriage and supported-services requirements of 47.U.S.C. § 214(e) (1) and has committed to provide the voice telephony services required by 47 C.F.R. § 54.101.
2. Find that, by virtue of the FCC's forbearance order, ABT is not required to meet the facilities-ownership requirement of 47 U.S. C. § 214(e) (a) (A).
3. Find that ABT meets the service-offering requirement of 47 C.F.R. § 54.202 (A) (5).
4. Find that ABT meets the advertising requirement of 47 CFR § 54.405 (b), subject to the condition that within 30 days of the Commission's Order, ABT must submit a formal advertising and outreach plan listing the specific local and community newspapers and commercial broadcast stations in Minnesota through which it intends to advertise the availability of Lifeline service, including a proposed schedule or anticipated frequency of such advertising.
5. Find that ABT meets the emergency-functionality requirements of 47 CFR § 54.202 (a) (2).
6. Find that ABT meets the consumer-protection requirement of 47 CFR § 54.202 (a) (3).
7. Find that ABT has filed a revised informational tariff, subject to the condition that within 30 days of the Commission's Order, ABT will be required to ensure that the Terms and Conditions applicable to Minnesota customers, posted on its website, do not conflict with the terms and conditions included in its Minnesota informational tariff. Further, ABT will be required to notify the Commission and the Department, in writing, immediately upon any change to the Lifeline offering

terms, conditions, or rates, or it if seeks to withdraw its Lifeline offering or any portion thereof. ABT will be required to submit a revised tariff or customer service agreement page to reflect such changes.

8. Find that ABT meets the financial and technical ability requirement of 47 C.F.R. § 54.202 (a) (4).
9. Find that ABT will meet the 911-fee requirement of Minn. Stat. § 403.11 upon a showing to the Commission that it has obtained certification from the Minnesota Department of Public Safety that it is not in arrears in amounts owed to the 911 emergency telecommunications service account in the special revenue fund. Without such certification, ABT will not offer Lifeline service to customers in Minnesota.
10. Find that ABT's proposed rates for its Lifeline service are in the public interest and require ABT to offer, in Minnesota, the highest number of free minutes of usage and supplementary minutes priced at the lowest level offered in any other jurisdiction in which ABT provides wireless Lifeline service, provided that the available support is the same.
11. Find that ABT will meet the PSAP-certification requirement upon a showing that it has obtained certification of its handsets by the Minnesota Department of Public Safety. Absent such a showing, ABT will not offer service to Lifeline customers in Minnesota.
12. Require ABT to meet the following conditions:
  - a. ABT shall report any unfulfilled requests of Lifeline-qualified customers. If it determines that it cannot reasonably serve a consumer, it will report the unfulfilled request to the Department and the Commission within 10 days after making such a determination;
  - b. ABT shall comply with the collection and remittance provisions of Minn. Stat. §§ 403.11 and 237.52;
  - c. ABT shall complete the certification process required by the Department of Public Safety and file its certificate, signed by DPS, prior to operating in Minnesota;
  - d. ABT shall provide customers with access to usable phones. Frequent static or other interference on the line, lack of clarity, dropped calls, inability to place a call, or receive a call under normal circumstances are not acceptable. If the buttons on phones are too small to use, for example, ABT shall provide customers an opportunity to try a different make or model. ABT must make hearing-aid compatible handsets available to Lifeline-qualified customers, at no charge;

- e. ABT shall insure that policies regarding repair, maintenance, replacement of handsets, batteries, and chargers and options to purchase handsets are clear to consumers, and available to consumers who do not have web access. ABT shall provide detailed information in writing, at the time of enrollment, of repair and replacement policies for phones and accessories (batteries, chargers) and purchase options;
- f. ABT shall provide cell phone instruction manuals to its Lifeline customers;
- g. ABT shall provide its customers access to customer service without lengthy hold-times and without use of air-time minutes; and
- h. To the extent that ABT conducts, or employ agents to conduct, in-person distribution events, it shall provide consumers with access to information, via telephone as well as website, on all Minnesota distribution events, locations, and times.

The motion passed 4-0.

**P-421/AM-14-256**

**In the Matter of the CenturyLink, Inc. Petition for Rulemaking to Revise Service Quality Rules**

Commissioner Lipschultz moved that the Commission:

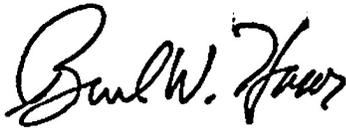
1. Initiate a rulemaking proceeding to consider possible changes to Minn. R. parts 7810.4100 through 7810.6100.
2. Direct that the Request for Comments solicit specific language suggestions and substantive evidence supporting any such suggested changes. Those requesting any changes must, at a minimum, include:
  - a. Evidence of competition, including the level and scope of such competition in relation to different types of customers (large business, small business, residential, etc.) and geography, and the extent to which existing competition supports the rule changes being recommended;
  - b. A demonstration of how the recommended rule changes would impact retail service quality and the extent to which service quality would be adequately protected by competition and/or the recommended rule changes;
  - c. Evidence of the impact any recommended changes would potentially have on competitive carriers and wholesale service quality;

- d. Any other relevant evidence and arguments supporting any recommended rule changes and the impact of such changes on telecommunications consumers;
  - e. Any arguments or evidence as to why rule changes should or should not be made regardless of evidence related to competition.
3. Delegate to the Executive Secretary the authority to develop the Request for Comments and to include any additional issues relevant to this rulemaking proceeding.

The motion passed 4-0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: August 22, 2014**



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**Burl W. Haar, Executive Secretary**