



August 7, 2020

William Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th place East, Suite 350
Saint Paul, MN 55101

Re: Docket No. CI-02-2034/M-12-383

Dear Mr. Seuffert:

The Citizens Utility Board of Minnesota (“CUB”) submits this letter to note our concerns about Xcel Energy’s request to exclude 129 complaints from those tallied under Xcel’s Quality of Service Plan tariff (the “QSP Tariff”). In its request, Xcel argues: (1) the 129 complaints filed by solar installers do not meet the definition of “Customer Complaint” included in the QSP Tariff; and (2) complaints alleging problems with the Company’s interconnection portal do not relate to the Company’s “provision of service to the customer.”¹ Xcel also implies that, because 128 of the complaints were filed by a single solar installer, the problems alleged in those complaints are not generally representative of installers’ or customers’ experience overall with respect to the Solar*Rewards program.² While we take no position on how the Commission should act with respect to these complaints, we find Xcel’s arguments unpersuasive, and we are concerned that treating these complaints differently from other customer complaints could set a precedent whereby utilities are held less accountable for ineffective customer services.

1. The complaints meet the definition of “Customer Complaint.”

Xcel argues that the complaints filed by solar installers are not “Customer Complaints” as defined in the QSP Tariff because the customer did not authorize the installer to file the complaint on his/her behalf. In 2002, the Commission approved a service quality reporting tariff for Xcel to use when measuring the quality of its energy services.³ This tariff has since been further modified, most recently on August 17, 2013. Among the modifications made between 2002 and 2013, the Commission approved a revision to the definition of “Customer Complaints,” noting that, for the purposes of “Customer Complaints” as used in the tariff, “Customer” means:

¹ Xcel Energy, Comments on Annual Report and Request for Commission Finding Regarding the Customer Complaint Performance Service Quality Plan, Dkt. E,G002/M-02-2034, E,G002/M-12-383 (May 1, 2020) at 13.

² Id. at 11 (“Prior to the December complaints, we heard minimal concern from the other (approximately 370) installers who participate in our Solar*Rewards program regarding our lack of responsiveness to any communications, even during regular stakeholder and education forums.”)

³ See generally, Xcel Energy, Compliance Filing: QSP Tariff Modifications, Xcel Energy Rate Book, Section 6, Sheets 7.1 to 7.11, Dkts. E,G002/M-12-383 & E,G002/CI-02-2034 (Aug. 27, 2013) (“QSP Tariff”); See also PUC, Order Approving Amendments to Service-Quality Tariff, Dkts. E,G002/M-12-383 & E,G002/CI-02-2034 (Aug. 12, 2013).

an electric or a natural gas customer that receives a bill for utility service from the Company or a representative of that customer. A representative includes an individual designated with Power of Attorney for the Customer, an attorney retained to represent the Customer, or an individual authorized by the Customer to act on his/her account (Emphasis included in the August 27, 2013 filing showing revisions made to the tariff).⁴

We note that the “Customer Complaint” definition was *broadened* in 2013 to include complaints filed by “representatives” of customers. The broadened definition provides that a representative of the Customer “includes” – not that it is “limited to” – those with Power of Attorney for the customer, attorneys engaged by a customer, or individuals authorized by the customer to act on his/her account. Solar installers are the primary parties interfacing with Xcel’s interconnection portal on behalf of customers participating in the Solar*Rewards program. As such, they “represent” customers in obtaining interconnection. If Xcel were to *not* permit installers to represent customers in obtaining interconnection, the friction and frustration experienced by installers would transfer directly to customers – a result that would likely have further negative impact on Xcel, its customers, installers and the Solar*Rewards program, itself. In order to hold Xcel accountable for ensuring the Solar*Rewards program is run as effectively as possible, we find it appropriate to consider installers “representatives” of the customers for the purposes of applying the broadened definition of “Customer Complaint” included in the QSP Tariff.

2. The 129 complaints involve provision of services to customers.

In its written comments, Xcel notes: “Complaints of this nature regarding solar, or any other type of distributed energy resource installer, [were] not contemplated to the extent it exists on our system today when the threshold was last updated.”⁵ While it may be true that the role of DER installers, specifically, was not contemplated when the QSP Tariff was last updated seven years ago, it is undeniable that complaints regarding customer service are intended to be tallied and included in those tracked under the QSP Tariff. The system that Xcel utilizes to establish interconnection in its Solar*Rewards program is intertwined with, and a part of, the services Xcel provides to its customers. It would be inconsistent with the goals and purpose of the QSP Tariff to exclude complaints related to customer service just because the nature of the tools requiring customer service support have changed since the QSP Tariff was last updated. As the electricity system and the expectations of customers and regulators modernize, those tools, and specific details of services offered, will continue to change and become more complex. As a result, the details of customer complaints will continue to change, too. Xcel should continue to be held accountable for ineffective customer service consistent with the broader purpose of the QSP Tariff, whether or not the specific details of services offered have changed since the QSP Tariff was last revised.

⁴ Xcel Energy, Compliance Filing: QSP Tariff Modifications, Xcel Energy Rate Book, Section 6, Sheets 7.1 to 7.11, Dkts. E,G002/M-12-383 & E,G002/CI-02-2034 (Aug. 27, 2013).

⁵ Xcel Energy, May 1, 2020 Comments at 17.

3. The 129 complaints appear to be indicative of a larger customer service problem.

Finally, we respectfully disagree with the implication that, because 128 of the 129 complaints were filed by a single solar installer, the complaints do not fairly represent the experience of other installers and/or customers participating in the Solar*Rewards program. We note that Novel Energy Solutions submitted a letter in this docket expressing similar concerns.⁶ We also note that Sundial Energy submitted a letter in Docket 20-492 (and more recently in Docket M-12-383) expressing similar concerns.⁷⁸ In both letters, Novel Energy Solutions and Sundial claim they are anecdotally aware of several other Minnesota solar installers and developers that share similar concerns about Xcel's Solar*Rewards interconnection process.

Conclusion

In summary, we are concerned that separating complaints filed by solar installers on behalf of their customers from other customer complaints could set a precedent for categorizing and discounting types of customer complaints in this and other dockets down the road. Interconnecting customer-owned solar PV is part of the service that a modern utility provides its customers – as are renewable energy options, serving electric vehicles, and more. We are concerned that a system of categorizing and weighting customer complaints could dilute utilities' accountability for serving their customers as effectively as possible.

Thank you for considering our letter.

Sincerely,

s/Annie Levenson-Falk
Annie Levenson-Falk
Executive Director
Citizens Utility Board of Minnesota

s/Brian Edstrom
Brian Edstrom
Senior Regulatory Advocate
Citizens Utility Board of Minnesota

⁶ Novel Energy Solutions, Comment Letter, Dkt. 12-383 (July 1, 2020).

⁷ Xcel Energy, May 1, 2020 Comments at 16.

⁸ Sundial Energy, Letter Re: Minnesota's Economic Recovery from the Covid-19 Pandemic, Dkt. G999/CI-20-492 (July 29, 2020).