

The Commission met on **Thursday, June 12, 2008**, with Chair Koppendraye and Commissioners O'Brien and Reha present.

The following matters were taken up by the Commission.

Block Motion

Chair Koppendraye moved that the Commission take the following actions on the dockets listed below:

P-6108/RV-09-112

In the Matter of the Revocation of Certificate of Authority Held by ACCXX Communications, LLC

- Revoke the Company's certificate of authority.

P-6266/RV-07-1557

In the Matter of the Revocation of Certificate of Authority Held by R2C

- Revoke the Company's certificate of authority.

P-5040/RV-07-1538

In the Matter of the Revocation of Certificate of Authority Held by Buehner-Fry, Inc.

- Revoke the Company's certificate of authority.

P-6140/RV-07-2147

In the Matter of the Revocation of Certificate of Authority Held by Affinity Telecom, Inc. d/b/a C-COM

- Revoke the Company's certificate of authority.

The motion passed 3-0.

Motions on Individual Cases

P-5891/M-08-446

In the Matter of the Request to Amend the Certificate of Authority of Jaguar Communications, Inc. to Expand its Service Area and a Request for a Variance of the Requirement to provide Notice to City Clerks of All Municipalities in the Expanded Service Area

Commissioner Reha moved to (a) grant the petition to serve the proposed exchanges, conditioned upon the petitioner's filing documentation showing that notice has been served on the affected municipalities and local service companies, Commission approval of 911 plans in the affected counties, and Commission approval of all interconnection agreements or amendments to existing interconnection agreements with the incumbent local exchange carriers for the affected areas; and (b) deny the requested variance.

The motion passed 3-0.

P-421/AR-08-282

In the Matter of a Petition by Qwest Corporation for Approval of its Second Revised Alternative Form of Retail Regulation Plan

Commissioner Reha moved to approve the proposed protective order filed by Qwest on June 11.

The motion passed 3-0.

IP-6670/CN-08-253

In the Matter of the Application of Enbridge Pipelines LLC for a Certificate of Need for a Large Energy Facility

Commissioner Reha moved to find that the proposed project requires a certificate of need, to accept the application as substantially complete, to direct the use of the informal comment and reply comment review process, and to delegate scheduling authority to the Executive Secretary.

The motion passed 3-0.

E-002/M-08-412

In the Matter of Xcel Energy's Report on the Customer Buyback Program and Petition to Extend the Pilot Program Period

Chair Koppendraye moved to grant the petition for a three-year extension of the pilot program and to grant the three-year variances.

The motion passed 3-0.

G-008/-08-12

In the Matter of the Petition of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas for Approval of Tariff Revision and Rate Area Consolidation

Chair Koppendrayer moved to approve the proposed tariff revision; approve an effective date of July 1, 2008, but require the Company to implement rates on a prorated basis; require the Company to communicate the change to former Northern Area customers using a bill message; and require a compliance filing of the approved tariff pages and eliminating all references to the Northern Area within 30 days of the date of the order.

The motion passed 3-0.

E-6472/CN-07-1640

In the Matter of the Petition of Excelsior Energy Inc. And MEP-I LLC for an Order Concerning Transmission Infrastructure under Minn. Stat. § 216B.1694

Commissioner Reha moved to grant the petition for reconsideration and amend the Commission's order of April 18, 2008, using the language submitted by Excelsior.

The motion passed 3-0.

E-6472/M-05-1993

In the Matter of a Petition by Excelsior Energy Inc. for Approval of a Power Purchase Agreement Under Minn. Stat. § 216B.1694, Determination of Least Cost Technology, and Establishment of a Clean Energy Technology Minimum Under Minn. Stat. § 216B.1693

Commissioner Reha moved to deny the petition for reconsideration of the Commission's April 23, 2008 Order in Phase II of this proceeding.

The motion passed 3-0.

E-017/S-08-362

In the Matter of the Petition of Otter Tail Corporation for Approval of its 2008 Capital Structure and Permission to Issue Securities

Commissioner O'Brien moved to approve the petition as conditioned by the OES, explicitly stating in the order that the capital structure approved therein may not be the capital structure used for ratemaking purposes.

The motion passed 3-0.

E-015/GR-08-415I

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

Commissioner Reha moved that the Commission find Minnesota Power's filing to be incomplete in its current form. The Commission further determined that the filing will not be in proper form and substantially complete until Minnesota Power re-files its application in its entirety in a form that reflects all corrections, omissions and other deficiencies of the original filing, as set forth below. This re-filed application should include and incorporate:

- A. Notice of change in rates, pursuant to Minn. Stat. § 216B.16, subd. 1, that corresponds to the underlying request and materials provided in the application (e.g. the revenue deficiency calculations for final rates must correspond to the rate increases requested for interim and final rates);
- B. Minnesota Power's response to the Office of Energy Security's information request Nos. 113 and 114 to comply with Minn. Rules, Parts 7825.4000C and 7825.4100D; and
- C. Public versions of Schedule E-1 and E-1(IR) to comply with Minn. Rules, Parts 7825.4300A and 7825.4300B and the Commission's Revised Procedures For Handling Trade Secret And Privileged Data.

The motion passed 3-0.

There being no further business, the meeting was adjourned.

Approved by the Commission, JULY 2, 2008: approval attested to by Burl W. Haar, Executive Secretary.