

7690.1200 BIENNIAL PROGRAM APPROVAL, DISAPPROVAL, MODIFICATION.

Subpart 1. **Determination of reasonable investment.** The department shall determine whether a proposed program or modified program will result in reasonable investments in and expenditures for energy conservation improvements. In making this determination, the commissioner shall consider the following information, which must be included in a public utility's filing:

A. the program's compliance with statutory spending requirements, as specified in Minnesota Statutes, section 216B.241, subdivision 1a, with each utility calculating the required spending level by using the gross operating revenues in the year preceding the calendar year in which the filing is submitted and by defining gross operating revenues as:

(1) for electric utilities: the total Minnesota jurisdictional assessable operating revenue as reported in each electric utility's Minnesota jurisdictional report on page E-30, Sales and Degree Days Data, Total Sales to Ultimate Consumer, line (B) Total Revenue Corresponding to Sales; or

(2) for gas utilities: the total Minnesota jurisdictional assessable operating revenue as reported in each gas utility's Minnesota jurisdictional report on pages P-38 and P-39, Sales and Revenues (actual data), line (B) Total Revenues Corresponding to Sales Volume;

B. the impact of the program or modified program on:

- (1) peak demand; and
- (2) energy consumption;

C. the cost-effectiveness of the program or modified program, as calculated from the utility, ratepayer, participant, and societal perspectives;

D. the total number of low-income and rental customers expected to be affected by the program or modified program;

E. the total number of customers within a customer class expected to participate in the program or modified program, expressed as a percentage of the total number of customers within that customer class in a utility's service area;

F. the customer classes expected to participate in the program or modified program; and

G. other facts and circumstances concerning a particular utility that are relevant to determining the overall importance of the investment in energy conservation improvements.

Subp. 2. **Approval.** On determining that the proposed program or modified program will result in reasonable investments in and expenditures for energy conservation improvements, the commissioner shall approve the proposed or modified program.

Subp. 3. **Disapproval and modification.** On determining that the proposed program or modified program will not result in reasonable investments in and expenditures for energy conservation improvements, the commissioner shall disapprove the proposed program or modified program and require a program that will result in reasonable investments in and expenditures for energy conservation improvements.

Statutory Authority: *MS s 216B.08; 216B.241*

History: *13 SR 2282; 14 SR 2193; 22 SR 1402*

Published Electronically: *August 8, 2013*