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July 20, 2007

Burl W. Haar  
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Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
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RE: NOTICE OF CHANGED CIRCUMSTANCES  
2005-2019 RESOURCE PLAN  
DOCKET NO. E002/RP-04-1752

Dear Dr. Haar:

Enclosed is a Notice of Changed Circumstance related to the 2004 Resource Plan of Northern States Power Company ("Xcel Energy" or the "Company"), a Minnesota corporation and wholly owned subsidiary of Xcel Energy Inc.

As discussed in this Notice, we believe that new laws adopted by the 2007 Minnesota Legislature – most notably, the Renewable Energy Standard and Energy and Efficiency Act – pose significant change for our system that require thoughtful review in the context of a resource plan. As such, we request either delay or suspension of our current resource acquisition proceedings, and propose to file a new Resource Plan by December 14, 2007.

We are making this filing pursuant to Minnesota Rule 7843.0500, subp.5, which provides that a utility shall inform the Commission of changed circumstances that may affect the implementation of the Company's most current resource plan.

Copies of this filing have been served on parties on the attached service lists. Please call me at (612) 330-6125 if you have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Judy M. Pufferl', written over a printed name and title.

JUDY M. PUFFERL  
DIRECTOR  
GOVERNMENT & REGULATORY AFFAIRS

Enclosure  
c: Service Lists

STATE OF MINNESOTA  
BEFORE THE  
MINNESOTA PUBLIC UTILITIES COMMISSION

|                   |              |
|-------------------|--------------|
| LeRoy Koppendraye | Chair        |
| David Boyd        | Commissioner |
| Marshall Johnson  | Commissioner |
| Thomas Pugh       | Commissioner |
| Phyllis Reha      | Commissioner |

IN THE MATTER OF THE APPLICATION OF  
NORTHERN STATES POWER COMPANY, A  
MINNESOTA CORPORATION AND  
WHOLLY OWNED SUBSIDIARY OF XCEL  
ENERGY INC., FOR APPROVAL OF ITS  
2005-2019 RESOURCE PLAN

DOCKET NO. E002/RP-04-1752

**NOTICE OF CHANGED CIRCUMSTANCES,  
REQUEST TO MODIFY SCHEDULE FOR  
RESOURCE ACQUISITION PROCEEDINGS,  
AND PROPOSAL FOR NEW RESOURCE  
PLAN FILING**

**OVERVIEW**

Pursuant to Minnesota Rule 7843.0500, subp.5, Northern States Power Company (“Xcel Energy” or the “Company”), a Minnesota corporation and wholly owned subsidiary of Xcel Energy Inc., submits to the Minnesota Public Utilities Commission (“Commission”) this Notice of Changed Circumstances regarding our 2004 Resource Plan.

We believe the significant new requirements for renewable energy and demand-side management enacted by the 2007 Minnesota Legislature have created changed circumstances that warrant the comprehensive evaluation provided by a new Resource Plan proceeding. As discussed in this Notice, a new Resource Plan is required to:

- Further assess the impacts of the new legislation on our resource needs and system operations.
- Evaluate the appropriateness of our current five-year action plan and make the necessary changes to reconcile the size, type, and timing of needed resources with the new requirements established by the 2007 Legislature.
- Provide an updated, consistent analytical basis for resource acquisition proceedings.

Because our preliminary analyses of the impacts of the 2007 legislation indicate substantial changes to system operations and suggest changed needs with respect to resource size, type, and timing, we respectfully request that the Commission:

- Acknowledge that the circumstances surrounding our 2004 Resource Plan have significantly changed due to the new legislative initiatives, that such changes may affect our resource needs, and that it is appropriate to undertake a comprehensive assessment of these changes to determine whether modification to our approved five-year action plan is warranted.
- Approve our proposal to modify the current resource acquisition proceedings' schedules pending verification of the size, type and timing of our customers' resource needs.<sup>1</sup>
- Accept our commitment to file a new Resource Plan by December 14, 2007, several months earlier than our current requirement to file by March 1, 2008.

We believe a short delay in procedural schedule for pending and upcoming base load resource acquisition filings can be accommodated with little – if any – risk to our ability to complete these proceedings, if our evaluation confirms the continued need for these resources. To the extent our updated Plan indicates continued need for the resources previously identified in our 2004 Plan, we will seek approval either within the updated Plan or in a concurrent filing, thus ensuring the resource can be procured on a timely basis.

In our view, the alternative approach of moving forward with multiple, staggered resource acquisition cases will be inefficient and possibly result in non-cost-effective resource decisions, as information will continue to be developed and refined throughout these proceedings and could result in inconsistent administrative records. In contrast, a comprehensive review of the impacts of the new legislation will promote efficiency and consistency, without creating unnecessary or excessive delays.

Thus, we believe that our Proposal is necessary and appropriate because: (1) the new statutory requirements have a significant impact on our current plan and will likely affect the nature of our resource needs, and (2) we can temporarily suspend current resource acquisition schedules pending the verification of need and identification of

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<sup>1</sup> This Notice does not request any change to the proceeding schedule for the Excelsior Energy proceeding (*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*, PUC Docket No. E6472/M-05-1993, OAH Docket No. 12-2500-17260-2).

appropriate resources without jeopardizing our ability to secure these resources if confirmed to be needed. We respectfully request that, after taking notice and comment, the Commission approve our request.

### CHANGED CIRCUMSTANCES

The Commission's resource planning rules provide that:

*The utility shall inform the commission and other parties to the last resource plan proceeding of changed circumstances that may significantly influence the selection of resource plans. Upon receiving notice of changed circumstances, the commission shall consider whether additional administrative proceedings are necessary before the utility's next regularly scheduled resource plan proceeding.*

Minn. Rule 7843.0500, subp.5. The Company believes that the 2007 legislation regarding renewable energy and demand-side management constitutes such changed circumstances and merits additional review.

Specifically, the 2007 Legislature enacted a significant range of energy legislation. Most notable and relevant to this Notice are the new Renewable Energy Standard ("RES") and energy conservation goals, both of which have a significant impact on some of the underlying assumptions of our 2004 Resource Plan.

- *Renewable Energy Standard (Minnesota Session Laws 2007, Chapter 3).* Minnesota adopted one of the most aggressive renewable mandates in the United States. For Xcel Energy, the RES requires that 30 percent of retail sales must be provided by qualifying renewable resources by 2020, of which wind resources must provide 25 percent. Compliance with this Standard will require the addition of 3000 to 3400 MW of new wind resources on our system, or approximately 300 MW annually until 2020. In contrast, our 2004 Resource Plan required the addition of 1680 MW of wind by 2019.
- *Energy Efficiency and Conservation Act (Minnesota Session Laws 2007, Chapter 136, Article 2).* The Legislature significantly modified current requirements for energy conservation and demand-side management ("DSM"), transitioning from a spending-based requirement to a comprehensive goal of saving 1.5 percent of retail electric sales beginning in 2010. The new legislation provides that utilities may propose to implement qualifying customer-based programs that achieve one percent savings, and may propose system infrastructure improvements that create additional savings to help achieve the overall state goal. In contrast, our existing programs – which have received national

recognition – would achieve estimated annual savings of approximately 0.8 percent of retail electric sales.

Taken together, these two new laws direct substantial change, change that we believe warrants detailed analysis before committing to any new base load resource acquisitions. The requirement for substantial amounts of new wind on our system may reduce the amount of other resources required to meet our customers' needs, but clearly will impact the nature of those needs and our overall system operations. The new DSM requirements will also reduce the amount of customer needs, but will likely also impact the overall load profile and – as a result – the type of resources best suited to meeting our system needs. We discuss each below.

### **A. Impact of RES Legislation**

Generally speaking, we supply our customers' needs through a mix of base load, intermediate, and peaking resources, both owned and purchased. We operate our base load resources consistently throughout the year, thus justifying the higher capital costs of these resources. Given our customers' load profile, base load generating facilities currently provide approximately 55 percent of peak day capacity, 73 percent of our customers' energy requirements throughout the year, and are the only facilities required to serve our customers' needs for approximately 41 percent of all the hours of a year.

The RES requires us to provide 30 percent of our retail sales through renewable energy, of which 25 percent must be wind. Even considering the intermittent nature of wind resources, clearly there will be periods when available wind energy will supplant base load resources to meet our customers' energy needs. Attachment A contains a load duration curve that demonstrates how resources that will be available in 2020, assuming compliance with the RES, will be dispatched to serve our customers over each hour of the year. This figure demonstrates that existing base load resources will need to operate differently compared to how we have operated those resources in the past in order to accommodate the new wind additions. This preliminary information calls into question the projected need for the 375 MW of base load capacity identified in our 2004 Resource Plan (as opposed to intermediate or peaking capacity) and may affect the cost-effectiveness of other resource acquisitions identified in that Plan.

### **B. Impact of DSM Legislation**

We anticipate that achieving the DSM goals established by the 2007 Legislature will affect the size, type and timing of resources required to meet our customers' needs. Further reductions in load growth through expanded conservation efforts should

result in reduced or delayed needs, or both. Further, per our 2004 Resource Plan, achieving higher DSM goals requires that we find additional cost-effective ways to implement more conservation in our industrial sector. Achieving substantially more industrial savings may change the shape of our system load profile over time, thus affecting the type of resource (base load, intermediate, or peaking) best suited to meet our customers' needs. Achieving a 1.5 percent reduction in retail sales through DSM efforts is a significant enough change to warrant further review before committing to additional resources.

### REQUEST TO MODIFY PROCEDURAL SCHEDULE

We believe that the changed circumstances arising from these legislative initiatives warrant comprehensive review through a new Resource Plan filing, as opposed to a more piecemeal approach of allowing updated information to be supplied via multiple resource acquisition proceedings. Stemming from our 2004 Resource Plan, we currently have eight resource acquisition proceedings either underway or scheduled to be filed, including:

- *375 MW Base Load Need proceeding (Docket No. E002/CN-06-1518)*, where we have proposed a combination resource of a purchase from Manitoba Hydro and wind resources. We made our initial application for approval of this proposal on November 1, 2006. This proceeding is currently pending before an administrative law judge and is scheduled for evidentiary hearings beginning August 13, 2007.
- *Certificate of Need for a 70 MW power uprate at our Monticello nuclear plant.* Our 2004 Resource Plan requires this application to be filed by September 1, 2007. The additional capacity created by this proposal would be obtained through work performed in the 2009 and 2011 planned outages at this plant.
- *Certificate of Need for dry fuel storage expansion at our Prairie Island nuclear units 1 and 2.* Our approved Resource Plan requires this application to be filed by September 1, 2007. To facilitate the timely implementation of the dry fuel storage expansion needed to support life extension work, approval of this proposal is required by the Commission in 2009 with the Legislative Stay occurring during the 2010 legislative session. The loading of the casks would begin in 2011, prior to the end of the current operating license of these units in 2013 and 2014.
- *Certificate of Need for a 124 MW power uprate at our Prairie Island nuclear plant.* Concurrent with the life extension work at PI, we propose to implement

improvements to increase the output of the units. These uprates require approval of a certificate of need, which would need to be obtained before the Unit 1 2011 refueling outage to begin the uprate work. This would result in 62 MW being available on Unit 1 following its 2012 refueling outage and 62 MW being available on Unit 2 following its 2015 refueling outage.

- *Emissions Reduction filing for a 141 MW capacity expansion at our Sherco Units 1, 2, and 3.* We have proposed to combine capacity expansions with significant environmental improvements at our Sherco units. Our proposal would require approval under the Emissions Reduction statute, Minn. Stat. 216B.1692. Our approved Resource Plan requires the filing of this application by September 1, 2007.
- *Request for Proposals for 136 MW of peaking capacity.* Our Resource Plan authorized the issuance of an RFP for these peaking resources to be in-service by 2011. We expect to issue this RFP soon.
- *Acquisitions of an additional 300 MW of wind resources from Community-Based Energy Development providers.* We are in the process of selecting proposals and beginning contract negotiations to fulfill our commitment and add a total of 500 MW of CBED resources by 2010.
- *Certificate of Need for 100 MW of utility-owned wind.* We filed our application on June 25, 2007, for the Grand Meadow Wind Farm, pursuant to existing legislation authorizing our ownership of 100 MW of wind resources.

Attachment B provides a chart summarizing these various resource acquisition proceedings.

We believe it is appropriate to either suspend further action or delay the application of most of these proceedings, pending verification of their need in our upcoming Resource Plan filing. Specifically, we request to that the Commission approve our proposal to:

- Suspend the current schedule in the 375 MW base load proceeding,<sup>2</sup> and
- Delay filing of the Certificates of Need for our nuclear plants and the application for an Environmental Improvement Rider for our Sherco plant

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<sup>2</sup> Concurrent with this filing, we are filing a motion with the Administrative Law Judge to request suspension of this proceeding.

until at least December 14, 2007, our proposed date for filing a new Resource Plan.

To the extent these resources are confirmed needed by our updated Plan – and we expect that at least several of them will be – we will seek the necessary approvals either concurrent with or soon after the Resource Plan is filed. We do not believe any proposal would be jeopardized in its ability to be implemented in a timely manner by this short delay; indeed, we believe the benefits of a comprehensive review and consistent information and analysis will hasten the eventual review processes.

We believe the Commission should allow the remaining resource acquisitions to proceed as planned. Proposals for RES-eligible developments, such as our Grand Meadow project and the CBED acquisitions, are needed to comply with the new legislation and should not be delayed, as they will be needed in any event. Proceeding with the peaking RFP will cause no harm, as no request for approval will come before the Commission until after a peaking proposal is selected and contract negotiated. Given the timing of the RFP, we expect that no application for a Power Purchase Agreement will be made until well after the filing of the new Resource Plan, in which we expect the need for this resource will be confirmed.<sup>3</sup>

### **PROPOSAL FOR NEW RESOURCE PLAN**

Delaying and suspending the current resource acquisition proceedings will allow us the time necessary to prepare a comprehensive Resource Plan filing that reflects the new legislative requirements, updated forecasts and assumptions, and compliance requirements stemming from our 2004 Resource Plan. This Plan will also reflect and address other new initiatives adopted by the 2007 Minnesota Legislature, including carbon management and greenhouse gases, CBED, and renewable resource development. To provide sufficient time to complete this analysis and prepare this and any accompanying applications, we propose a filing date of December 14, 2007. We commit to initiate expeditiously the proceedings for any delayed resource acquisition that is confirmed needed in this new Resource Plan so that those resources can be considered and developed on a timely basis.

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<sup>3</sup> Regardless, the issuance of the RFP would not bind the Company to securing a resource if the new Resource Plan does not subsequently verify the need for this peaking resource.



## CONCLUSION

Passage of the RES and Energy Efficiency Act of 2007 poses changed circumstances for our approved Resource Plan. We believe it is necessary and appropriate to undertake a comprehensive analysis of the impacts of these legislative initiatives to either confirm or modify our existing resource acquisition plans. Our preliminary analysis indicates that such review is needed, as the size, type, and timing of our resource needs have been significantly impacted by new requirements for renewable energy and DSM.

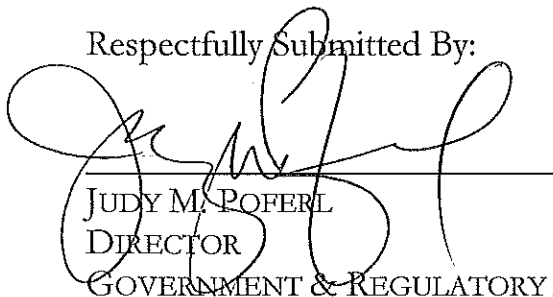
Given the significant number of pending and planned resource acquisition proceedings, we believe it appropriate to suspend or delay the individual filings while this comprehensive assessment is completed. This approach will promote efficiency and effectiveness for all stakeholders as the analytical basis for the various resource proceedings will be consistent and confirmed. Such delay will also allow us to develop and file a Resource Plan by December 14, 2007 to provide this comprehensive forum.

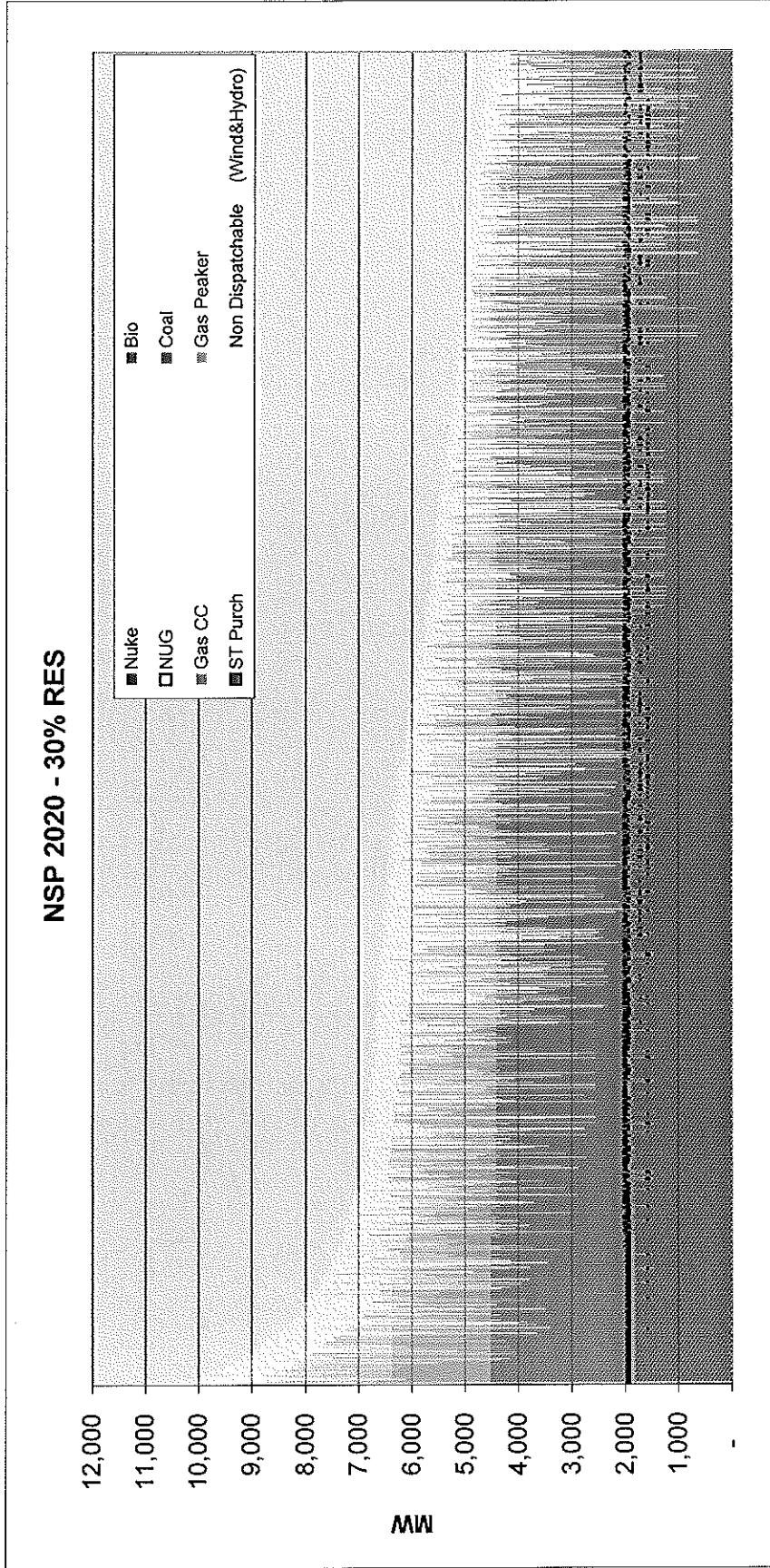
Thus, we respectfully request that, after taking notice and comment, the Commission:

- Acknowledge that the circumstances surrounding our 2004 Resource Plan have significantly changed due the new legislative initiatives, that such changes may affect our resource needs, and that it is appropriate to undertake a comprehensive assessment of these changes to determine whether modification to our approved five-year action plan is warranted.
- Approve our proposal to modify the current resource acquisitions' proceeding schedules pending verification of the size, type and timing of our customers' resource needs.
- Accept our commitment to file a new Resource Plan by December 14, 2007, several months earlier than our current requirement to file by March 1, 2008.

July 20, 2007

Respectfully Submitted By:

  
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JUDY M. POFERT  
DIRECTOR  
GOVERNMENT & REGULATORY AFFAIRS



Attachment B

Summary of Resource Acquisition Proceedings

| Resource Description                    | Type of Filing                  | MW      | In-Service Date | Proceeding Status                           | Proposed Status   |
|---|---------------------------------|---------|-----------------|---|---|
| New Resource Plan                       | Resource Plan                   |         |                 | File on 3/1/2008                            | File on 12/14/2007  |
| Manitoba Hydro/Wind (E002/CN-06-1518)   | CON                             | 375/180 | 2015            | Hearings Scheduled for August 13-17         | Re-commence as indicated by New Resource Plan               |
| Sherco 1                                | Environmental Improvement Rider | 48      | 2013 & 2015(a)  | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Sherco 2                                | Environmental Improvement Rider | 58      | 2012 & 2014 (a) | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Sherco 3                                | Environmental Improvement Rider | 35      | 2011            | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Monticello                              | CON                             | 15/55   | 2009/2011       | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Prairie Island - Dry Cask Storage       | CON                             | 1100    | 2011            | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Prairie Island 1                        | CON                             | 62      | 2011 & 2012 (b) | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Prairie Island 2                        | CON                             | 62      | 2015            | Filing due Sept 1                           | File Concurrent with New Resource Plan to maintain schedule |
| Peaking Facilities                      | RFP                             | 136     | 2011            | Issuing RFP soon                            | Issuing RFP soon  |
| Grand Meadow Wind Farm (E002-CN-07-873) | CON                             | 100     | 2008            | Decision on completeness of CON due July 26 | Proceed as scheduled  |
| C-BED                                   | Contract                        | 500     | 2010            | File Contracts as applicable                | Proceed as scheduled  |

Notes: (a) Turbine generator, boiler feed pumps and flue gas desulfurization during first outage and selective catalytic reduction system in second outage.

(b) Additional capacity not available until after work in second outage year completed.

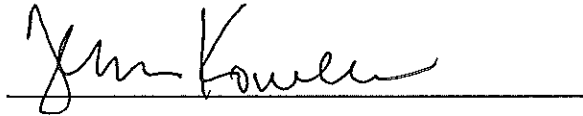
**CERTIFICATE OF SERVICE**

I, Teresa Kowles, hereby certify that I have this day served copies of the following document on the attached list of persons by electronic filing or by causing to be placed in the U.S. mail at Minneapolis, Minnesota.

**DOCKET NO. E002/RP-04-1752**  
**NOTICE OF CHANGED CIRCUMSTANCES**

Additional distribution to service lists for Docket Nos. E002/CN-05-123, E002/M-05-1887, E6472/M-05-1993, E002/CN-06-1518, E002/M-07-2, and E002/CN-07-873.

Dated this 20<sup>th</sup> day of July 2007

  
\_\_\_\_\_

In the Matter of Xcel Energy 2004 Resource  
Plan

E002/RP-04-1752

6-25-2007

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In the Matter of Xcel Energy for a Certificate of Need to  
Establish an Independent Spent Fuel Storage

E002/CN-05-123  
3-16-2007

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Community-Based Energy Development Tariff  
(C-BED)

E002/M-05-1887

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*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  
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§ 216B.1693*

PUC Docket No. E6472/M-05-1993

OAH Docket No. 12-2500-17260-2

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Competitive Bidding Resource Acquisition Process for  
375 MW of Base Load Generation

E002/CN-06-1518

6/15/2007

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E002/M-07-02

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