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PUBLIC SERVICE COMMISSION

STATE OF MINNESOTA



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October 3, 2008

Dr. Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 East Seventh Place, Suite 350
St. Paul, MN 55101-2147

Re: *In the Matter of an Investigation into Northern States Power Company d/b/a Xcel
Energy Inaccurate Gas Meters, Recalculation of Bills, and Related Issues*
Docket No. G-002/CI-08-871

Dear Dr. Haar:

The Office of the Attorney General - Residential Utilities Division ("OAG") submits this letter to amend and clarify its Reply Comments, filed September 19, 2008, in the above-referenced docket.

In its Reply Comments, the OAG argued that Minn. R. 7826.1000 obligated Xcel to have replaced all malfunctioning 1074 v.2 meter modules within ten days of learning that the modules were malfunctioning. The service obligation outlined in Minn. R. 7826.100 applies only to electric utilities and does not address the appropriate response time for replacing malfunctioning gas meters. The OAG notes that the Minnesota Rules are silent with respect to the timeliness of replacing malfunctioning gas meters and therefore the Public Utilities Commission must use its discretion to determine whether Xcel's response in replacing the defective 1074 v.2 meter modules was reasonable. The OAG believes that Minn. R. 7826.1000, while not controlling, should be considered when determining the appropriateness of Xcel's response to the widespread failure of the defective 1074 v.2 meter modules.

The OAG requests that this letter be added to the record in this docket to clarify its position on Minn. R. 7826.1000.

18 **PU-08-627** Filed: 10/7/2008 Pages: 2
**Letter of MN Attorney General Residential Utilities
Division to Amend and Clarify Reply Comments**

Public Service Commission

PSC Staff

Dr. Burl W. Haar
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Sincerely,

s/ William T. Stamets

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cc: Parties on Service List

AG: #2318042-v1