

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Northern States Power Company  
Customer Credit – DOE Settlement 2020  
Application**

**Case No. PU-21-438**

**ORDER**

**March 30, 2022**

**Preliminary Statement**

On November 26, 2021, Northern States Power Company (NSP) filed with the Commission for approval to refund to customers the twelfth settlement payment of \$847,600 received October 27, 2021, from the United States Department of Energy (USDOE) arising from the USDOE's inability to accept nuclear waste under the federal Nuclear Waste Policy Act. The twelfth settlement payment has been placed in a separate external, interest-bearing account, and the final payment will include interest received, net of banking fees.

On December 15, 2021, the Commission issued a Notice of Opportunity for Hearing that provided until January 14, 2022, for receiving written comments and hearing requests. No response was received.

The Notice of Opportunity for Hearing identified the issues to be determined in this matter:

1. Is the 12<sup>th</sup> settlement payment refund just and reasonable?
2. What is the appropriate settlement refund mechanism and refund period?
3. Whether a 150-day extension of the February 24, 2022 deadline will be necessary.
4. Whether a variance of the Commission's Fuel Adjustment Clause rules will be necessary.

**Discussion**

NSP proposes two alternative refund mechanisms to refund the twelfth USDOE settlement payment. The first method involves issuing the credit as a one-time line item to North Dakota electric customers bills by July 24, 2022. This method would require an extension of the 120-day disbursement deadline per the Commission's August 4, 2021

Order in Case No. PU-21-89. NSP is requesting a 150-day extension of the disbursement deadline.

The second method involves granting a variance to the Commission's Fuel Adjustment Clause rules, allowing NSP to issue the twelfth payment as a credit to fuel expense in an upcoming monthly North Dakota Fuel Cost Rider, effective in the month after Commission approval. This method also requires an extension of the 120-day disbursement deadline.

NSP estimates that a one-time bill credit would be approximately \$3.75 per customer.

Having considered this matter, the Commission finds the refund of the twelfth USDOE settlement payment should be issued as a one-time, distinct line-item credit on bills to North Dakota electric customers by July 24, 2022, and that a 150-day extension of the disbursement deadline is necessary.

NSP's twelfth settlement payment refund of \$847,600 plus interest received, net of bank fees, is just and reasonable.

**Order**

The Commission Orders:

1. Northern States Power Company's proposal to issue the twelfth USDOE settlement payment as a one-time, distinct line-item credit on bills to North Dakota electric customers by July 24, 2022 is approved.
2. The request for a 150-day extension of the disbursement deadline to issue to North Dakota customers the twelfth USDOE settlement payment is approved.

**PUBLIC SERVICE COMMISSION**

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Sheri Haugen-Hoffart  
Commissioner