

**m** MINNESOTA  
PUBLIC UTILITIES COMMISSION

July 1, 2026

Sen. Nick A. Frentz  
Chair, Senate Energy, Utilities, Environment,  
and Climate Committee  
3109 Minnesota Senate Building  
St. Paul, MN 55155

Sen. Andrew Mathews  
Ranking Minority Member, Senate Energy,  
Utilities, Environment, and Climate Committee  
2233 Minnesota Senate Building  
St. Paul, MN 55155

Rep. Chris Swedzinski  
Co-Chair, House Energy Finance and Policy  
Committee  
2nd Floor Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Rep. Patty Acomb  
Co-Chair, House Energy Finance and Policy  
Committee  
5th Floor Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Dear Members of the Minnesota Legislature:

As required by Minnesota Statutes section 216B.631, subdivision 7, the Minnesota Public Utilities Commission provides the enclosed report on the operation of the participant compensation framework established in 2023 in Minn. Stat. § 216B.631. As directed, the report includes data and discussion on:

- (1) the amount of compensation paid each year by each utility;
- (2) each recipient of compensation, the Commission dockets in which compensation was awarded, and the compensation amounts; and
- (3) the impact of the participation of compensated participants.

Please contact me if you have any questions about this report.



Sasha Bergman  
Executive Secretary and Chief of Staff

Enclosure

**REPORT TO THE LEGISLATURE ON OPERATION OF THE PUBLIC  
UTILITIES COMMISSION PARTICIPANT COMPENSATION  
PROGRAM UNDER MINNESOTA STATUTES § 216B.631**

**Submitted by the  
Minnesota Public Utilities Commission**

**July 1, 2026**

As required by  
Minn. Stat. § 216B.631, subd. 7

ESTIMATED COST OF PREPARING THIS REPORT

In accordance with Minn. Stat. § 3.197, the estimated cost incurred by Minnesota Public Utilities Commission in preparing this report is less than \$1,000. Special funding was not appropriated for the costs of preparing this report.

## I. INTRODUCTION

In 2023, the Legislature enacted 2023 Minnesota Laws Chapter 60, Article 12, section 25. This section established a new framework in Minnesota Statutes section 216B.631 for eligible groups to request compensation from public utilities for their participation in certain types of Public Utilities Commission (Commission) proceedings. This new framework became effective May 25, 2023, as to any proceeding in which the Commission had not yet issued a final order as of that date.

The new law expanded the scope of compensation that was previously available under Minn. Stat. § 216B.16, subd. 10, in several significant ways.

First, while the prior statute applied only to those granted formal “intervenor” status,<sup>1</sup> the new process is available to “participants” who file comments or appear in a proceeding without being granted formal party status.<sup>2</sup>

Second, the new law expands eligibility to a Tribal government of a federally recognized Indian Tribe in Minnesota in addition to nonprofits, but it removes eligibility for individuals.

Third, while the former intervenor compensation law was available only in utility rate cases, participant compensation now may be awarded in utility proceedings related to rate changes; riders or other cost recovery requests; ratepayer protections, service quality, or disconnection policies and practices; low-income affordability programs; design or approval of tariffs or rates; performance measures or incentives; distribution system planning and grid modernization; pilot programs with a proposed cost of at least \$5 million; and any investigations or inquiries initiated by the Commission or Department of Commerce.

Fourth, while the former law capped compensation at \$50,000 for a single intervenor in any proceeding, the new law increases the cap to \$75,000 for a contested case or \$50,000 per calendar year if a proceeding lasts longer than 12 months. The new law also limits the aggregate compensation a utility may be ordered to pay in a calendar year, ranging from \$100,000 to \$1.25 million depending on the utility’s annual gross operating revenue in Minnesota.

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<sup>1</sup> See Minn. Stat. § 216B.16, subd. 10 (allowing compensation for a nonprofit or intervenor “granted formal intervenor status”); Minn. R. 7829.0100 (defining “intervenor” as “a person permitted to intervene as a party in a proceeding” under Commission procedural rules).

<sup>2</sup> Minn. Stat. § 216B.631, subd. 1

Section 216B.631 is set to expire on July 1, 2030, at which time the former law, which is currently suspended, will go back into effect.<sup>3</sup>

Section 216B.631, subdivision 1, requires the Commission, by July 1, 2026, to report to the chairs and ranking minority members of the legislative committees with primary jurisdiction over energy policy on the operation of the statute, including but not limited to:

- (1) the amount of compensation paid each year by each utility;
- (2) each recipient of compensation, the Commission dockets in which compensation was awarded, and the compensation amounts; and
- (3) the impact of the participation of compensated participants.

These items and other considerations are addressed below.

## II. Compensation Paid by Each Utility

This section addresses Minn. Stat. § 216B.631, subd. 7(1), which requires the report to include the amount of compensation paid each year by each utility.

Table 1, below, shows the total amount of participant compensation each utility was ordered by pay under Minn. Stat. § 216B.631 each year as of the date of this report.<sup>4</sup>

<b>Table 1. Total Compensation Paid Under Section 216B.631</b>		
<b>Public Utility</b>	<b>2024</b>	<b>2025</b>
Northern States Power Co. d/b/a Xcel Energy	\$108,805.40	\$18,360.44
CenterPoint Energy Resources Corp.	\$11,258.78	\$855.13
Minnesota Power	\$1,190.42	\$618.58
Minnesota Energy Resources Corp.	\$2,668.86	\$190.34

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<sup>3</sup> Minn. Stat. § 216B.631, subd. 8; Minn. Stat. § 216B.16, subd. 10(m).

<sup>4</sup> No participant compensation was ordered under this statute in 2023 or in 2026 as of the date of this report.

Otter Tail Power Co.	\$314.75	\$153.34
Great Plains Natural Gas Co.	\$57.25	\$18.79
Greater Minnesota Gas, Inc.	\$22.56	\$10.65
Total – All Utilities	\$124,318.02	\$20,207.27

### III. Compensation Recipients, Dockets, and Amounts

This section addresses Minn. Stat. § 216B.631, subd. 7(2), which requires the report to identify each recipient of compensation, the commission dockets in which compensation was awarded, and the compensation amounts.

<b>Table 2. Compensation Awarded to Energy CENTS Coalition</b>				
<b>Compensation Order Date</b>	<b>Public Utility</b>	<b>Docket No.</b>	<b>Docket Description</b>	<b>Amount Awarded</b>
2/14/2024	Northern States Power Co. d/b/a Xcel Energy	E-002/GR-21-630	Application of Northern States Power Company d/b/a Xcel Energy for Authority to Increase Rates for Electrical Service in the State of Minnesota	\$36,785.54
7/17/2024	All gas & electric public utilities	E,G-999/CI-20-375; E,G-999/PR-23-02	Inquiry into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency; Cold Weather Reports – Recent Utility Cold Weather Rule Data	\$1,912.92
			ECC Total in 2024:	\$38,698.46
5/19/2025	Northern States Power Co. d/b/a Xcel Energy	E-002/M-24-27	Xcel 2023 Annual Safety, Reliability, Service Quality Report	\$4,937.95
			ECC Total in 2025:	\$4,937.95
			<b>ECC Total to Date:</b>	<b>\$43,636.41</b>

<b>Table 3. Compensation Awarded to Citizens Utility Board of Minnesota</b>				
<b>Compensation Order Date</b>	<b>Public Utility</b>	<b>Docket No.</b>	<b>Docket Description</b>	<b>Amount Awarded</b>
7/17/2024	All gas & electric public utilities	E,G-999/CI-20-375; E,G-999/PR-23-02	Inquiry into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency; Cold Weather Reports – Recent Utility Cold Weather Rule Data	\$8,293.00
7/31/2024	Xcel; CenterPoint; MERC	G-008, G-002, G-011/CI-23-117	Commission Investigation into Gas Utility Resource Planning	\$41,358.56
			CUB Total in 2024:	\$49,651.56
5/19/2025	Northern States Power Co. d/b/a Xcel Energy	E-002/M-24-27	Xcel 2023 Annual Safety, Reliability, Service Quality Report	\$10,459.00
12/5/2025	All gas & electric public utilities	E,G-999/PR-25-02, E,G-999/PR-24-02	Cold Weather Rule and Residential Customer Status Data	\$4,810.32
			CUB Total in 2025:	\$15,269.32
			<b>CUB Total to Date:</b>	<b>\$64,920.88</b>

<b>Table 4. Compensation Awarded to Community Power</b>				
<b>Compensation Order Date</b>	<b>Public Utility</b>	<b>Docket No.</b>	<b>Docket Description</b>	<b>Amount Awarded</b>
2/14/2024	Northern States Power Co. d/b/a Xcel Energy	E-002/GR-21-630	In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy for Authority to Increase Rates for Electrical Service in the State of Minnesota	\$17,984.00
			<b>Community Power Total to Date:</b>	<b>\$17,984.00</b>

<b>Table 5. Compensation Awarded to Minnesota Interfaith Power &amp; Light (Congregations Caring for Creation)</b>				
<b>Compensation Order Date</b>	<b>Public Utility</b>	<b>Docket No.</b>	<b>Docket Description</b>	<b>Amount Awarded</b>
2/14/2024	Northern States Power Co. d/b/a Xcel Energy	E-002/GR-21-630	In the Matter of the Application of Northern States Power Company d/b/a Xcel Energy for Authority to Increase Rates for Electrical Service in the State of Minnesota	\$17,984.00
			<b>MNIPL Total to Date:</b>	<b>\$17,984.00</b>

**IV. Impact of Recipients’ Participation**

Minn. Stat. § 216B.16, subd. 7(3) requires this report to address the impact of the participation of compensated participants.

As required by subdivision 3(a)(1) and 3(d) the Commission may award participant compensation only after determining that the participant has materially assisted the Commission’s deliberation because the following factors are met:

- (1) the participant made a unique contribution to the record and represented an interest that would not otherwise have been adequately represented;
- (2) the evidence or arguments presented or the positions taken by the participant were an important factor in producing a fair decision;
- (3) the participant's position promoted a public purpose or policy;
- (4) the evidence presented, arguments made, issues raised, or positions taken by the participant would not otherwise have been part of the record;
- (5) the participant was active in any stakeholder process included in the proceeding; and
- (6) the proceeding resulted in a commission order that adopted, in whole or in part, a position advocated by the participant.

Each order granting participant compensation discusses these factors and concludes that the participant materially assisted the Commission’s deliberation.

The nonprofit organization that has received the most compensation under the statute is Citizens Utility Board of Minnesota (CUB). As detailed in Commission orders granting compensation, CUB is an advocate for clean, affordable, and reliable utility service focused on promoting the interests of residential utility customers. CUB has received compensation for its advocacy in a commission-initiated proceeding to establish a framework for gas utility resource planning<sup>5</sup> and in three proceedings concerning ratepayer protections, service quality, and disconnection policies and practices.<sup>6</sup> In the gas resource planning proceeding, CUB developed the initial proposed framework that served as a starting point for discussion with other stakeholders, introduced evidence about best practices from other states, and represented consumer interests in advocating for the use of resource planning as a risk-mitigation tool. In the ratepayer-protection proceedings, CUB highlighted consumer interests in transparency and public participation to help ensure consumers understand their bills, their rights to payment plans and other protections, and how to participate in Commission proceedings. The Commission has adopted many consumer protection measures that would not have been presented to the Commission absent CUB's advocacy.

Another nonprofit organization that has received participant compensation in several proceedings is Energy CENTS Coalition (ECC). ECC promotes affordable utility service on behalf of low-income Minnesotans. ECC has a unique perspective into low-income customers' interests due to its experience administering utility bill assistance and conservation assistance programs. ECC was compensated for its participation in an Xcel Energy rate case where ECC contributed testimony and arguments related to rate design that promoted the public policy goals of requiring utilities to offer affordability programs and considering customers' ability to pay in setting rates.<sup>7</sup>

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<sup>5</sup> *In the Matter of a Commission Investigation into Gas Utility Resource Planning*, Docket No. G-008, G-002, G-011/CI-23-117, [Order Granting Participant Compensation](#) (July 31, 2024).

<sup>6</sup> *In the Matter of an Inquiry into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency; Cold Weather Reports – Recent Utility Cold Weather Rule Data*, Docket Nos. E,G-999/CI-20-375 & E,G-999/PR-23-02, [Order Granting Participant Compensation](#) (July 17, 2024); *In the Matter of Xcel Energy's 2023 Annual Safety, Reliability, and Service Quality Report*, Docket No. E-002/M-24-27, [Order Granting Participant Compensation](#) (May 19, 2025); *In the Matter of Utility Cold Weather Rule and Residential Customer Data*, Docket Nos. E,G-999/PR-25-02 & E,G-999/PR-24-02, [Order Granting Participant Compensation](#) (Dec. 5, 2025).

<sup>7</sup> *See In the Matter of the Application of Northern States Power Co. d/b/a Xcel Energy for Authority to Increase Rates for Electrical Service in the State of Minnesota*, Docket No. E-002/GR-21-630, [Order Granting Requests for Participant Compensation](#) (Feb. 14, 2024).

ECC and CUB received compensation for their joint participation in two proceedings focused on ratepayer protections, service quality, and disconnection policies and practices.<sup>8</sup> In these proceedings, CUB and ECC analyzed trends in the length of time customers remained disconnected from service and the treatment of customers during the cold weather rule period to bring to light customer impacts and the need for changes in utility practices. They shared their insights into the challenges consumers face trying to negotiate payment arrangements and avoid disconnection, and they proposed changes to utility processes and customer notices to facilitate greater transparency regarding utility payment-arrangement and disconnection practices. The Commission adopted many of ECC and CUB’s joint proposals in these proceedings based on their unique contributions.

Two nonprofits compensated under the new law—Community Power and Minnesota Interfaith Power & Light (MNIPL)—had never been compensated under the prior intervenor compensation statute. They received compensation under section 216B.631 for their joint participation in an Xcel Energy Rate Case.<sup>9</sup> Community Power is an energy democracy organization that supports local organizations and community members looking to assert decision-making power over their local energy systems and to build a clean, local, equitable, affordable, and resilient energy future. MNIPL works in partnership with multifaith communities pursuing energy justice and sustainability and empowering communities to take action. In the rate case, Community Power and MNIPL analyzed rate-change proposals through an energy-justice lens in light of historic and ongoing inequities and highlighted procedural justice concerns in resource-intensive regulatory proceedings. They were the first participants to raise energy justice issues in the proceeding, prompting further discussion in the utility’s response. The Commission found that the energy justice tenets introduced by MNIPL and Community Power were helpful in determining just and reasonable rates and adopted several recommendations MNIPL and Community Power recommended relating to rate design, utility spending, and transparency.

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<sup>8</sup> *In the Matter of an Inquiry into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency; Cold Weather Reports – Recent Utility Cold Weather Rule Data*, Docket Nos. E,G-999/CI-20-375 & E,G-999/PR-23-02, [Order Granting Participant Compensation](#) (July 17, 2024); *In the Matter of Xcel Energy’s 2023 Annual Safety, Reliability, and Service Quality Report*, Docket No. E-002/M-24-27, [Order Granting Participant Compensation](#) (May 19, 2025).

<sup>9</sup> *See In the Matter of the Application of Northern States Power Co. d/b/a Xcel Energy for Authority to Increase Rates for Electrical Service in the State of Minnesota*, Docket No. E-002/GR-21-630, [Order Granting Requests for Participant Compensation](#) (Feb. 14, 2024).

## V. Trends

Early data suggests the new law may promote an increase in the number and amount of compensation awards compared to the preexisting intervenor compensation law.

In June 2023, the month after the law went into effect, two intervenors filed requests for compensation citing section 216B.631 and one sought to make use of the increased compensation cap allowing compensation up to \$75,000 for participation in a contested case.<sup>10</sup> However, because the final order in that proceeding was issued before the effective date of the law, and the law applies only to proceedings in which the Commission has not issued a final order as of the law's effective date, the Commission determined that section 216B.631 was unavailable in that case and instead reviewed these requests under Minn. Stat. § 216B.16, subd. 10. Still, the fact that participants cited the new law in their requests and sought to take advantage of the newly increased compensation cap suggests that the enactment of the new law had a role in encouraging these petitioners to file their requests.<sup>11</sup>

In the first calendar year implementing section 216B.631, the Commission saw a significant increase in participant compensation requests and awards. In 2024, the Commission awarded a total of \$124,318.00 in participant compensation to four nonprofit organizations—two of which (Community Power and Minnesota Interfaith Power & Light) had never received intervenor compensation under the earlier statute and had not been frequent participants in Commission proceedings previously.

This was up from a total of \$96,067.95 awarded to two frequent intervenors in 2023,<sup>12</sup> \$0.00 in 2022 and 2021, and \$37,821 to one frequent intervenor in 2020.<sup>13</sup> The Commission awarded no

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<sup>10</sup> *In the Matter of the Application of Minnesota Power for Authority to Increase Rates for Electric Service in Minnesota*, PUC Docket No. E-015/GR-21-335, [Request for Intervenor Compensation of the Citizens Utility Board of Minnesota](#) (June 9, 2023).

<sup>11</sup> *In the Matter of the Application of Minnesota Power for Authority to Increase Rates for Electric Service in Minnesota*, PUC Docket No. E-015/GR-21-335, [Order Granting Intervenors Compensation](#) (Sept. 11, 2023).

<sup>12</sup> *Id.*

<sup>13</sup> *In the Matter of the Application by Minnesota Power for Authority to Increase Rates for Electric Service in Minnesota*, Docket No. E-015/GR-19-442, [Order Granting Intervenor Compensation](#) (Oct. 27, 2020).

intervenor compensation from 2012–2019, after awarding \$15,909.48 to one frequent intervenor in 2011.<sup>14</sup>

The lack of participant compensation requests in 2025 and the first half of 2026 may be partially because there were no final orders issued in larger utilities’ general rate cases in those periods. Such proceedings historically have been some of the most resource-intensive Commission dockets to participate in, so organizations may be more likely to expend resources requesting compensation in that type of case, where their participation costs and potential compensation will be higher than in other types of proceedings. The significant increase in compensation requests related to rate cases in the first year following section 216B.631 enactment compared to the annual average over the ten-year period before enactment is notable. The Commission might expect to see a similar jump in requests after a final order is issued in the pending Xcel Energy electric service rate case later this summer.

## **VI. Subcommittee Process**

The Commission has sought opportunities for efficiency in administering the participant compensation program. In its March 28, 2024 agenda meeting, the Commission voted to create a Participant Compensation Subcommittee.<sup>15</sup> Under Minn. Stat. § 216A.03, subd. 8, the Commission delegated authority to the subcommittee to make decisions on participant compensation requests and appointed Commissioner Joseph K. Sullivan to the subcommittee.

The subcommittee model offers a streamlined process for administering the participant compensation statute and resolving requests more efficiently and promptly in appropriate cases. The subcommittee process also maintains transparency and opportunities for parties, participants, and Commissioners to refer cases to the full Commission for traditional agenda meeting procedures. Any party or participant has a right to a full Commission meeting if they request one in their compensation request, in an objection to a request, or in a separate objection within 10 days after the subcommittee makes its decision. The subcommittee issues decisions through written orders stating the reasons for the decision, which are filed in the public record for the underlying proceeding and served on the proceeding’s service list. These procedures allow transparency and an opportunity for full Commission review in appropriate cases, balancing the requesting participant’s interest in a timely decision with all parties’ due

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<sup>14</sup> *In the Matter of the Application of Minnesota Power for Authority to Increase Electric Service Rates in Minnesota*, Docket No. E-015/GR-09-1151, [Order Approving Intervenor Compensation](#) (Mar. 17, 2011).

<sup>15</sup> *In the Matter of a Participant Compensation Subcommittee Proposal*, Docket No. U-999/PR-24-16, [Order Creating Participant Compensation Subcommittee](#) (Apr. 2, 2024).

process rights. To date, the Commission has not received any objections to decisions of the Participant Compensation Subcommittee.

Through the subcommittee, the Commission has been able to process unopposed requests more quickly without parties or participants having to incur the expense of participating in additional comment periods or Commission meetings.

## **VII. Additional Considerations**

### Availability to Tribal Governments

Although the new law expanded compensation eligibility to Tribal governments, the Commission has not received any requests for compensation under this law from Tribal governments to date. Historically, Tribes have been most active in Commission proceedings involving energy infrastructure permitting and certificates of need, which are not eligible types of proceedings under subdivision 1(d). Additionally, most Tribal communities in Minnesota are served by cooperative electric associations, which cannot be ordered to pay compensation under section 216B.631.<sup>16</sup>

### Cost Apportionment

If the Commission orders payment of participant compensation in a proceeding involving multiple public utilities, the Commission must apportion costs among the public utilities in proportion to each public utility's annual revenue.<sup>17</sup> Where requested compensation amounts have been relatively small and then divided among multiple utilities and sometimes multiple joint participants, this has led to the smallest utilities being required to mail checks and file documentation of payments as low as \$4.23.<sup>18</sup> Although this is consistent with how other

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<sup>16</sup> See Minn. Stat. § 216B.631, subd. 3(a) (“The Commission may order a public utility to compensate all or part of a participant’s reasonable costs . . . .”); *id.* at subd. 1(e) (defining “public utility” as it is defined in section 216B.02, subdivision 4, which excludes cooperative electric associations and municipal utilities.”)

<sup>17</sup> Minn. Stat. § 216B.631, subd. 6(b).

<sup>18</sup> See Docket No. E,G-999/CI-20-375, E,G-999/PR-23/02, *In the Matter of an Inquiry into Actions by Electric and Natural Gas Utilities in Light of the COVID-19 Pandemic Emergency; Cold Weather Reports – Recent Utility Cold Weather Rule Data*, [Order Granting Participant Compensation](#) at 6 (July 17, 2024).

regulatory costs are apportioned across utilities, it may not be the most efficient use of utility resources (which ultimately are recovered from ratepayers).<sup>19</sup>

### **VIII. Conclusion**

The Commission appreciates the opportunity to share information about our first few years under the new participant compensation framework of Minnesota Statutes section 216B.631.

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<sup>19</sup> See Minn. Stat. § 216B.62.