

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **PUBLIC UTILITIES - MINNESOTA**

### **Matter of Otter Tail Power Company**

**Supreme Court of Minnesota - April 22, 2020 - N.W.2d - 2020 WL 1933235**

On certiorari appeal from a rate-case order, electric utility challenged decision of Minnesota Public Utilities Commission (MPUC) to include costs and revenues for two of utility's multi-value transmission-grid projects when setting the retail electric rates charged to utility's Minnesota customers.

The Court of Appeals reversed. MPUC petitioned for review, which was granted.

The Supreme Court held that specific and later-adopted statute expressly leaving modification of transmission-cost recovery rider to discretion of electric utility controlled over general statute granting MPUC power to receive and hold hearings on a petition, and thus MPUC lacked authority to require utility to include certain costs and revenues in existing rider through a requirement that utility amend petition in rate case to include those costs.