

XCEL ENERGY INC  
Form 8-K  
February 16, 2007

# SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## FORM 8-K

### CURRENT REPORT

Pursuant to Section 13 or 15(d) of  
the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported) **February 14, 2007**

### **Xcel Energy Inc.**

(Exact name of registrant as specified in its charter)

**Minnesota**

(State or other jurisdiction of incorporation)

**1-3034**

(Commission File Number)

**414 Nicollet Mall, Mpls, MN**

(Address of principal executive offices)

**41-0448030**

(IRS Employer Identification No.)

**55401**

(Zip Code)

Registrant's telephone number, including area code **612-330-5500**

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(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 8.01. Other Events**

As previously reported, in April 2004 Xcel Energy filed a lawsuit against the U.S. government in the U.S. District Court for the District of Minnesota to establish its right to deduct the interest expense that had accrued on policy loans related to its corporate-owned life insurance (COLI) policies. Also, as previously reported, Xcel Energy and the government each filed a second motion for summary judgment in 2006. Both motions were initially presented to the Magistrate Judge. On February 14, 2007 the Magistrate Judge issued his Report and Recommendation (Report), recommending that both sides' motions be denied because of disputed fact issues. Both parties will have until March 5, 2007 to file their objections to the Report to the District Court Judge. Each party will also have an additional ten days to respond to the other party's objections. Thereafter, the Judge will have broad authority to, among other things, accept or reject in whole or in part the recommendations in the Report. It is unknown when a final order will be issued with respect to the motions.

**SIGNATURES**



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Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Xcel Energy Inc.  
(a Minnesota Corporation)

/s/BENJAMIN G.S. FOWKE III  
Benjamin G.S. Fowke III  
Vice President and Chief Financial Officer

February 16, 2007