

7810.8815 NONCOMPETITIVE SERVICE.

Subpart 1. **Reclassification authority and initiation.** A service of a telephone company that has been classified as subject to emerging competition or effective competition will keep its competitive classification until the commission, on its own motion, or on complaint, reclassifies the service as noncompetitive or subject to emerging competition.

Subp. 2. **Information from complainant.** A person who files a complaint requesting reinstatement of regulation for a particular service shall file either:

A. an explanation of why the competitive market for the service has failed so that rate regulation is necessary to protect the consumers applying the criteria in Minnesota Statutes, section 237.59, subdivision 5, and a discussion of the alternatives to rate regulation and the benefits versus the burdens of rate regulation; or

B. information that unreasonable discrimination has occurred among different areas of the state.

Subp. 3. **Information from company.** If the proceeding to reclassify is initiated by the commission on its own motion, or when the complaint is filed by the department or the attorney general's office, the company shall file in its answer either:

A. the information listed in part 7810.8805, subpart 2, items A to F and I, if the service is classified as subject to emerging competition; or

B. the information listed in part 7810.8810, subpart 2, if the service is classified as subject to effective competition.

Statutory Authority: *MS s 216A.05; 237.06; 237.07; 237.075; 237.10; 237.57 to 237.64*

History: *16 SR 2163*

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