

7829.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Classification petition.** "Classification petition" means a petition filed by a telephone company to classify a telephone service as subject to emerging or effective competition under Minnesota Statutes, section 237.59.

Subp. 3. **Commission.** "Commission" means the Minnesota Public Utilities Commission.

Subp. 4. **Complainant.** "Complainant" means a person who complains formally or informally of an alleged violation of a statute or rule within the commission's jurisdiction, a utility tariff, or a commission order.

Subp. 5. **Cost increase filing.** "Cost increase filing" means a miscellaneous tariff filing under Minnesota Statutes, section 237.63, proposing a rate increase for a particular telephone service on grounds that the actual costs of providing that particular service have increased. It does not include cost increases that are part of overall cost increases and cost increases that have been discovered as a result of new cost studies.

Subp. 6. **Department.** "Department" means the Minnesota Department of Commerce.

Subp. 7. **Expedited proceeding.** "Expedited proceeding" means an informal proceeding described in Minnesota Statutes, section 237.61, and subject to specific procedural requirements such as verification of pleadings.

Subp. 8. **Informal proceeding.** "Informal proceeding" means a proceeding that addresses and resolves issues of public policy, fact, or law without a formal contested case proceeding before the Office of Administrative Hearings.

Subp. 9. **Intervenor.** "Intervenor" means a person permitted to intervene as a party in a proceeding under this chapter.

Subp. 10. **Language change filing.** "Language change filing" means a miscellaneous tariff filing under Minnesota Statutes, section 237.63, changing descriptive language in a telephone utility tariff without changing the meaning or operation of the tariff.

Subp. 11. **Miscellaneous tariff filing.** "Miscellaneous tariff filing" means a request or notice that does not require determination of the utility's revenue requirement.

A miscellaneous tariff filing includes a filing involving a new service offering; a change in a utility's rates, services, terms, or conditions of service; a change in a utility's corporate structure, assigned service area, or capital structure, when conducted separately from a

general rate proceeding; or any related matter. The term also includes a language change filing, cost increase filing, and rate reduction filing.

The inclusion of a particular type of filing in this list does not require a filing that would not otherwise be required or confer jurisdiction that would not otherwise be present.

Subp. 12. **Municipality.** "Municipality" includes a town, statutory city, and home rule charter city.

Subp. 13. **Participant.** "Participant" means a person who files comments or appears in a proceeding, other than public hearings held in contested cases and other commission proceedings conducted to receive general public comments, to present views without becoming a party.

Subp. 14. **Party.** "Party" means a person by or against whom a proceeding before the commission is commenced or a person permitted to intervene in a proceeding under this chapter. A party to a proceeding is styled a "petitioner," "complainant," "intervenor," or "respondent," according to the nature of the proceeding and the relationship of the party to the proceeding.

Subp. 15. **Person.** "Person" means a natural person, corporation, municipal corporation, public corporation, utility, governmental entity, government agency, association, partnership, receiver, joint venture, trustee at common law or statutory trust guardian, or executor.

Subp. 16. **Petitioner.** "Petitioner" means a person who requests the commission's permission, authorization, or approval or a person who notifies the commission of a proposed change in a rate, service, or term or condition of service.

Subp. 17. **Price list filing.** "Price list filing" means a filing under Minnesota Statutes, section 237.60, pertaining to telephone services claimed to be subject to emerging or effective competition.

Subp. 18. **Proceeding.** "Proceeding" means a formal or informal undertaking of the commission, in which it seeks to resolve a question or issue taken up on its own motion or presented to it in a complaint, petition, or notice of a proposed change in a rate, service, or term or condition of service.

Subp. 19. **Proof of service.** "Proof of service" means a certificate of service stating the facts of service, including the time and manner of service and the parties served.

Subp. 20. **Rate reduction filing.** "Rate reduction filing" means a miscellaneous tariff filing under Minnesota Statutes, section 237.63, proposing a reduction in a rate for telephone service.

Subp. 21. **Respondent.** "Respondent" means a person against whom a complaint is filed or against whom an investigation or other proceeding on commission motion is addressed.

Subp. 22. **Suspend.** "Suspend" means to hold in abeyance or to delay the effective date of.

Subp. 23. **Utility.** "Utility" means a gas, electric, or telephone company subject to the jurisdiction of the commission.

Statutory Authority: *MS s 216A.05*

History: *19 SR 116; L 2001 1Sp4 art 6 s 1*

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