

7829.0430 WITHDRAWAL OF FILINGS.

Subpart 1. **Uncontested withdrawal.** The commission delegates to the executive secretary authority to approve the withdrawal of a filing. Approval will be granted by the executive secretary if the following conditions are met:

A. the party that submitted the filing has requested that the filing be withdrawn and has served notice on the persons listed on the official service list;

B. no person has expressed opposition to withdrawal of the filing within 14 days of service of the notice; and

C. no commissioner or commission staff person has identified a reason that the matter should not be withdrawn.

Subp. 2. **Contested withdrawal.** If any person opposes a withdrawal request within 14 days of service of the notice, the commission will allow a filing to be withdrawn at the request of the filing party if the commission determines that the proposed withdrawal:

A. does not contravene the public interest;

B. does not prejudice any party; and

C. does not concern a filing that raises issues requiring commission action.

If the commission determines that withdrawal would contravene the public interest or would prejudice a party, the commission may permit withdrawal only subject to conditions that mitigate the harm identified.

Statutory Authority: *MS s 216A.05*

History: *40 SR 1329*

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