

**7829.0800 PETITION TO INTERVENE.**

Subpart 1. **Filing and service.** A person who desires to become a party to a proceeding shall file a petition to intervene within the time set in this chapter. The petition must be served on known parties and those persons on the utility's general service list for the matter, if applicable. A petition to intervene must be signed by the person wishing to become a party, or by the person's attorney or authorized representative.

Subp. 2. **Grounds for intervention.** The petition must allege the grounds for intervention and must be granted upon a showing that: the person is specifically considered by statute to be interested in the particular type of matter at issue; the person is specifically declared by statute to be an interested party; or the outcome of the proceeding will bind or affect the person with respect to an interest peculiar to that person, as distinguished from an interest common to the public or other ratepayers in general, or the person's interests are not adequately represented by one or more other parties participating in the case.

Subp. 3. **Intervention as of right.** The department and the Office of the Attorney General may intervene as of right in any proceeding before the commission. They become parties upon filing comments under this chapter or upon written notice to the commission of an intent to intervene, and need not file petitions to intervene, except when the rules of the Office of Administrative Hearings require it.

Subp. 4. **Objection to intervention.** An objection to intervention must be filed within ten days of service of the petition to intervene.

Subp. 5. **Disposition of petition.** If there is no objection to intervention and a petition to intervene is not denied or suspended within 15 days of filing, the petition to intervene must be considered granted, unless the matter is referred to the Office of Administrative Hearings for contested case proceedings before the expiration of the 15-day period.

Subp. 6. **Proceeding before administrative law judge.** During the time that a matter is before an administrative law judge, intervention procedures are governed by the rules of the Office of Administrative Hearings and by orders issued under those rules by the administrative law judge.

**Statutory Authority:** *MS s 216A.05*

**History:** *19 SR 116; 40 SR 1329*

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