

7829.1400 MISCELLANEOUS TARIFF, PRICE LIST FILING; COMMENTS.

Subpart 1. **Initial comments.** A person wishing to comment on a miscellaneous tariff or price list filing shall do so within 30 days of its filing with the commission. A person wishing to comment on one of the following noncompetitive rate change filings shall do so within 20 days of its filing with the commission: a rate reduction filing, a cost increase filing, or a request for a significant change in a condition of telephone service. A person wishing to comment on a new telephone service, competitive or noncompetitive, shall do so within ten days of its filing with the commission. Comments must be served on the persons on the utility's general service list for the filing, as well as on the filing utility.

Subp. 2. **Petition to intervene.** If a person who files initial or reply comments is not entitled to intervene in commission proceedings as of right and desires full party status, the person shall file a petition to intervene before the initial or reply comment period expires. The intervention petition may be combined with the comments on the filing.

Subp. 3. **Comments to include procedural recommendation.** A person commenting on a miscellaneous tariff or price list filing and recommending its rejection, denial, or modification shall specify whether the person believes the filing requires a contested case proceeding, informal proceeding, expedited proceeding, or some other procedural treatment, together with the person's reasons for recommending a particular procedural treatment.

Subp. 4. **Reply comments.** The utility and other persons have ten days from the expiration of the original comment period to file reply comments. Reply comments must be served on the utility and persons who have filed comments on the miscellaneous tariff filing. Reply comments must be limited in scope to the issues raised in the initial comments.

Subp. 5. **Additional comments.** If further information is required to make a fully informed decision, the commission shall require additional comments and identify specific issues requiring further development.

Subp. 6. **Comments on supplemental or corrected filings.** The commission shall provide opportunity for other parties to respond to supplemental or corrected filings when those filings raise new issues.

Subp. 7. **Comment periods varied.** Except for comment periods set by statute, the commission may vary the comment periods set by this chapter on its own motion or at the request of a person for good cause shown. The commission may delegate the authority to vary time periods to the executive secretary.

Subp. 8. **Comment periods extended at department's request.** At the request of the department, the commission shall extend the comment periods in parts 7829.1300 and 7829.1400 up to an additional 30 days, except for comment periods established by statute

and except when the commission must act within 60 days to prevent proposed rate changes from going into effect.

Subp. 9. **Requests for contested case proceedings.** Upon receipt of initial comments requesting a contested case proceeding on a miscellaneous tariff filing or price list filing, the commission shall immediately set the matter for consideration on a date after the time period for reply comments has run. If the commission finds a contested case proceeding is required, the commission shall refer the matter to the Office of Administrative Hearings pursuant to part 7829.1000, and the utility shall file its direct testimony in question and answer form within 20 days of the commission's notice and order for hearing.

Statutory Authority: *MS s 216A.05*

History: *19 SR 116*

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