

7848.1800 PROCEDURAL TREATMENT OF BIENNIAL TRANSMISSION PROJECTS REPORTS NOT SEEKING CERTIFICATION OF HIGH-VOLTAGE TRANSMISSION LINE.

Subpart 1. **Service requirements.** Utilities shall serve their biennial transmission projects reports on the following persons:

- A. the Department of Commerce;
- B. the Residential and Small Business Utilities Division of the Office of the Attorney General;
- C. the general service list for biennial transmission projects reports established under part 7829.0600;
- D. every county government in the state;
- E. every tribal government in the state;
- F. each member of the Environmental Quality Board;
- G. the United States Army Corps of Engineers;
- H. the United States Environmental Protection Agency;
- I. the United States Fish and Wildlife Service;
- J. the State Historical Society;
- K. the Minnesota Environmental Conservation Library;
- L. the Legislative Reference Library; and
- M. every regional development commission in the state and every regional development library in the state.

Subp. 2. **Website posting.** Each utility shall post its biennial transmission projects report on its website within five days of filing.

Subp. 3. **Challenges to compliance with filing requirements.** Any person or party wishing to challenge the compliance of a biennial transmission projects report with filing requirements set by rule or statute shall do so within 20 days of the date of filing. The commission shall set an expedited procedural schedule for resolving the challenge, taking into consideration the number and complexity of the issues on which noncompliance is claimed. The commission shall require utilities to promptly amend or supplement biennial transmission projects reports that it finds do not comply with filing requirements.

Subp. 4. **Petition to intervene.** A person who desires to become a party to a biennial transmission projects report proceeding and is not a party as of right shall file an intervention petition under part 7829.0800 by January 15. The person may combine the intervention petition with initial comments.

Subp. 5. **Initial comments.** Initial comments must be filed by January 15, unless the commission has found the report incomplete. If the commission has found the report incomplete, the commission shall set an initial comment deadline, taking into consideration the degree to which the filing was incomplete, the complexity of the issues, and the statutory deadline for commission action on the filing.

Subp. 6. **Comments to include procedural recommendation.** Initial comments must include a recommendation on what procedural framework the commission should use to examine and act on the filing. Commenting persons shall specifically identify any issues which they believe require a contested case proceeding.

Subp. 7. **Reply comments.** Reply comments must be filed by March 1, unless the commission has found the report incomplete. If the commission has found the report incomplete, the commission shall set a reply comment deadline, taking into consideration the number and complexity of the issues and the statutory deadline for commission action on the filing.

Subp. 8. **Additional comments.** If additional information is required to make a fully informed decision, the commission shall require or permit additional comments.

Subp. 9. **Discovery procedures.** Parties shall respond to information requests served upon them by other parties within ten days of receipt.

Subp. 10. **Commission action.** The commission shall accept, reject, modify, or require further action in regard to biennial transmission projects reports. Further action may include, but is not limited to, requiring additional filings, requiring periodic reporting on specific issues, requiring collaboration between specific utilities, and ordering infrastructure investments or preventative maintenance under Minnesota Statutes, section 216B.79.

Statutory Authority: *MS s 216A.05; 216B.08; 216B.09*

History: *27 SR 1820*

Published Electronically: *September 10, 2018*