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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 78

01/05/2017 Authored by Quam The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance

1.1 A bill for an act
1.2 relating to energy; establishing a goal for pipeline permitting efficiency; requiring
1.3 a report; amending Minnesota Statutes 2016, section 216G.02, by adding a
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 216G.02, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 5. Permitting efficiency. (a) It is the goal of the state that pipeline routing permits
1.9 be issued or denied within 150 days of the submission of a permit application. The Public
1.10 Utilities Commission must establish management systems designed to achieve the goal.

1.11 (b) The Public Utilities Commission must prepare semiannual permitting efficiency
1.12 reports that include statistics on meeting the goal in paragraph (a). The reports are due
1.13 February 1 and August 1 each year. For permit application review processes that did not
1.14 meet the goal, the report must state the reasons for not meeting the goal. In stating the
1.15 reasons for not meeting the goal, the Public Utilities Commission shall separately identify
1.16 delays caused by the responsiveness of the proposer, lack of staff, scientific or technical
1.17 disagreements, or the level of public engagement. The report must specify the number of
1.18 days from initial submission of the application to the day the application is deemed complete.
1.19 The report for August 1 each year must aggregate the data for the year and assess whether
1.20 program or system changes are necessary to achieve the goal. The report must be posted
1.21 on the Public Utilities Commission's Web site and submitted to the governor and the chairs
1.22 and ranking minority members of the house of representatives and senate committees having
1.23 jurisdiction over energy policy and finance.

2.1 (c) The Public Utilities Commission must allow electronic submission of environmental  
2.2 review and permit documents to the agency.

2.3 (d) Beginning July 1, 2018, within 30 business days of application for a permit subject  
2.4 to paragraph (a), the Public Utilities Commission must notify the project proposer, in writing,  
2.5 whether the application is complete or incomplete. If the commissioner determines that an  
2.6 application is incomplete, the notice to the applicant must identify all deficiencies, citing  
2.7 specific provisions of the applicable rules and statutes, and advise the applicant on how the  
2.8 deficiencies can be remedied. This paragraph does not apply to an application for a permit  
2.9 that is subject to a grant or loan agreement under chapter 446A.

2.10 **Sec. 2. PERMITTING PROCESS REVIEW.**

2.11 (a) The Public Utilities Commission must evaluate its pipeline routing permitting  
2.12 processes under Minnesota Statutes, chapter 216G, to determine whether existing processes  
2.13 cause, encourage, or reduce unnecessary delays in the pipeline permitting process. To the  
2.14 extent the Public Utilities Commission identifies any processes that are repetitive, duplicative,  
2.15 unnecessary, or cause burden or delay, the commission must either: (1) alter or eliminate  
2.16 the process; or (2) provide justification detailing the reasons why a process that causes delay  
2.17 is necessary.

2.18 (b) The Public Utilities Commission must report its findings under paragraph (a) to the  
2.19 governor and the chairs and ranking minority members of the legislative committees with  
2.20 jurisdiction over energy policy and finance. The report must describe in detail all of the  
2.21 processes reviewed, an explanation as to whether or why each process is necessary or should  
2.22 be altered or eliminated, and include any action taken by the commission to streamline any  
2.23 processes identified for alteration or elimination. The report under this section must be  
2.24 included with the August 1, 2018, submission of the report required under Minnesota  
2.25 Statutes, section 216G.02, subdivision 5, paragraph (b).

2.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.