

2890.4500 REVIEW AND DETERMINATION.

Subpart 1. **Review.** The board's staff must review applications. When the staff finds that the application is incomplete or otherwise deficient, the staff must promptly advise the applicant of the incompleteness or deficiency. Further processing of the application affected by the deficiency must be suspended until the applicant has supplied the necessary information or otherwise corrected the deficiency. A complete application and the corresponding report of the commissioner constitute the written record.

Subp. 2. **Staff determination.** After a reimbursement application is complete and the commissioner has provided the information relevant to the application, the board's staff must determine the eligibility of the applicant and the eligibility of the costs specified in the application. The reimbursement determination that results from these determinations constitutes the reimbursement determination made by the commissioner of commerce under authority delegated by the board according to Minnesota Statutes, section 115C.09, subdivision 10.

Subp. 3. **Board determination.** When the board considers an appeal of a reimbursement determination, the board must determine the amount of the reimbursement based on those costs it finds are eligible, actually incurred, and reasonable. The determination must be made on the basis of the written record. The board may also allow supplemental information explaining the application to be presented orally. The board may establish a fair and reasonable limit on time allowed for oral presentation.

The applicant must be notified in writing within ten business days of the board's decision. If the board rejects all or a part of the request for reimbursement, a statement of the reasons for rejection must be included with the notification.

Statutory Authority: *MS s 115C.07*

History: *12 SR 2142; 18 SR 1471; 28 SR 383*

Published Electronically: *September 14, 2007*