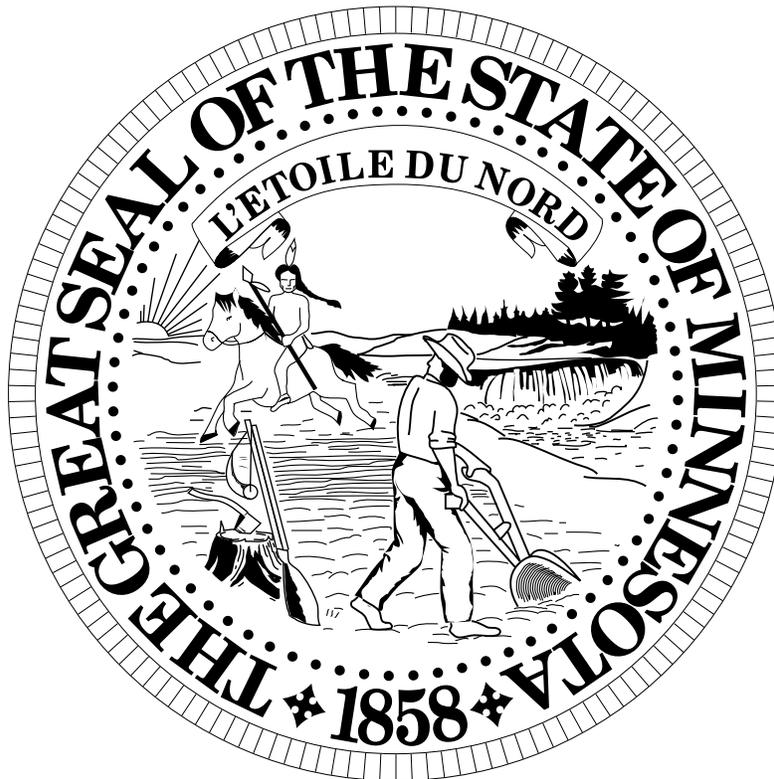


State of Minnesota

State Register

Rules and Official Notices Edition



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State Register

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- commissioners' orders
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#14	Monday 30 September	Noon Tuesday 24 September	Noon Wednesday 18 September
#15	Monday 7 October	Noon Tuesday 1 October	Noon Wednesday 25 September
#16	Monday 14 October	Noon Tuesday 8 October	Noon Wednesday 2 October
#17	Monday 21 October	Noon Tuesday 15 October	Noon Wednesday 9 October

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Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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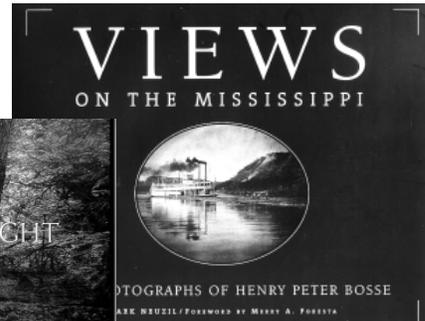
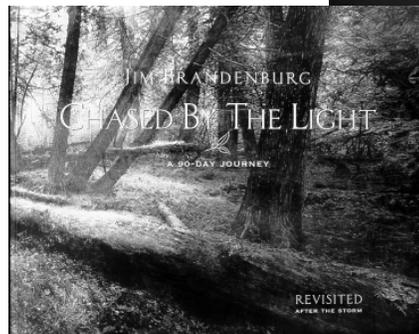
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A 90-Day Journey

This popular release by photographer Jim Brandenburg features the stunning color photos first published in the National Geographic. Shooting only one exposure each day over a 90 day period, Brandenburg has captured the essence of Minnesota's breathtaking nature and wildlife from autumn to the winter solstice. Brandenburg also shares his innermost thoughts with passionate essay. Hardcover, 128pp. Stock No. 19-72 \$35.00



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...for the coffee table

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Public Utilities Commission

Proposed Permanent Rules Relating to Safety, Reliability, and Service Quality Standards for Electric Utilities

DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

Proposed Rules Adopting Safety, Reliability, and Service Quality Standards for Electric Distribution Utilities, *Minnesota Rules*, Chapter 7826

Introduction. The Public Utilities Commission intends to adopt rules without a public hearing following the procedures set forth in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on Wednesday, October 30, 2002, a public hearing will be held in the Large Hearing Room at the offices of the Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, Minnesota 55101-2147, starting at 9:00 a.m. on Wednesday, November 13, 2002. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after October 30 and before November 13.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Carol Casebolt, Managing Attorney, Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, Minnesota 55101-2147, (651) 296-6029. The agency's TTY number is (651) 297-1200.

Subject of Rules and Statutory Authority. The proposed rules are about the safety, reliability, and service quality of electric distribution utilities. The statutory authority to adopt the rules is *Minnesota Statutes*, § 216B.81. A copy of the proposed rules is published in the *State Register*. The rules set performance standards and reporting requirements on safety, reliability, and service quality, including the quality of customer service. They do not apply to municipal utilities and cooperative utilities. Municipal utilities and cooperative utilities are required by statute to adopt their own safety, reliability, and service quality standards, which must be as consistent as possible with the standards set by the Commission. *Minnesota Statutes* § 216B.81. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on Wednesday, October 30, 2002 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday,

October 30, 2002. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules, unless the procedure under *Minnesota Rules*, part 1400.2110, has been followed. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for November 13, 2002 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-6029 after October 30, 2002 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Steve M. Mihalchick is assigned to conduct the hearing. Judge Mihalchick can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 349-2544, and **fax:** (612) 349-2665.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day rebuttal period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

Statement of Need and Reasonableness. A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or 1-800-657-3889.

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and the rules are filed with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 26 August 2002

Burl W. Harr,
Executive Secretary
Public Utilities Commission

7826.0100 APPLICABILITY.

This chapter applies to all persons, corporations, or other legal entities engaged in the retail distribution of electric service to the public, with the following exceptions:

- A. cooperative electric associations;
- B. municipal utilities;
- C. persons distributing electricity only to tenants or cooperative or condominium owners in buildings owned, leased, or operated by those persons;
- D. persons distributing electricity only to occupants of a manufactured home or trailer park owned, leased, or operated by those persons; and
- E. persons distributing electricity to fewer than 25 persons.

7826.0200 DEFINITIONS.

Subpart 1. Scope. The terms used in this chapter have the meanings given them in this part.

Subp. 2. Bulk power supply facility. "Bulk power supply facility" means the interconnected system that encompasses the electric generation resource, transmission lines, transmission substations, and associated equipment that, upon a total, simultaneous, and sustained interruption, disrupts service to all distribution feeders exiting that substation when those distribution feeders do not have service restoration interconnections with alternate sources.

Subp. 3. Cold weather rule. "Cold weather rule" means the set of protections against disconnection during the heating season set forth in parts 7820.1500 to 7820.2300.

Subp. 4. Customer average interruption duration index or CAIDI. "Customer average interruption duration index" or "CAIDI" means the average customer-minutes of interruption per customer interruption. It approximates the average length of time required to complete service restoration. It is determined by dividing the annual sum of all customer-minutes of interruption durations by the annual number of customer interruptions, using storm-normalized data.

Subp. 5. Customer complaint. "Customer complaint" means any call center communication by a utility customer in which the customer states a grievance related to the utility's provision of service to that customer.

Subp. 6. Interruption. "Interruption" means an interruption of service to a customer with a duration greater than five minutes.

Subp. 7. Major service interruption. "Major service interruption" means an interruption of service at the feeder level or above and affecting 500 or more customers for one or more hours.

Subp. 8. Resolved. "Resolved," used in regard to customer complaints, means that the utility has examined the complainant's claims, conducted any necessary investigation, and done one of the following:

- A. taken the action the customer requests;
- B. taken an action the customer and the utility agree is an acceptable compromise;
- C. provided the customer with information that demonstrates that the situation complained of is not reasonably within the control of the utility; or

D. refused to take the action the customer requested and communicated that refusal to the customer.

Subp. 9. **Storm-normalized data.** “Storm-normalized data” means data that has been adjusted to neutralize the effects of outages due to major storms.

Subp. 10. **System average interruption duration index or SAIDI.** “System average interruption duration index” or “SAIDI” means the average customer-minutes of interruption per customer. It is determined by dividing the annual sum of customer-minutes of interruption by the average number of customers served during the year, using storm-normalized data.

Subp. 11. **System average interruption frequency index or SAIFI.** “System average interruption frequency index” or “SAIFI” means the average number of interruptions per customer per year. It is determined by dividing the total annual number of customer interruptions by the average number of customers served during the year, using storm-normalized data.

Subp. 12. **Utility.** “Utility” means any person, corporation, or other legal entity engaged in the retail distribution of electric service to the public, with the following exceptions:

A. cooperative electric associations;

B. municipal utilities;

C. persons distributing electricity only to tenants or cooperative or condominium owners in buildings owned, leased, or operated by those persons;

D. persons distributing electricity only to occupants of a manufactured home or trailer park owned, leased, or operated by those persons; and

E. persons distributing electricity to fewer than 25 persons.

Subp. 13. **Work center.** “Work center” means a portion of a utility’s assigned service area that it treats as an administrative subdivision for purposes of maintaining and repairing its distribution system.

7826.0300 SAFETY STANDARDS.

Subpart 1. **National Electrical Safety Code.** When constructing new facilities or reinvesting capital in existing facilities, utilities shall comply with the requirements stated at the time the work is done in the then most recently published edition of the National Electrical Safety Code, as published by the Institute of Electrical and Electronics Engineers, Inc. and approved by the American National Standards Institute. This code is incorporated by reference, is not subject to frequent change, and is conveniently available to the public through the statewide interlibrary loan system.

Subp. 2. **Standards and recommended practices of the Institute of Electrical and Electronics Engineers, Inc. and the American National Standards Institute.** Utilities are encouraged to follow the recommended practices of the Institute of Electrical and Electronics Engineers, Inc. and the American National Standards Institute on electricity metering and standard voltage ratings for electric power systems and equipment. Utility compliance with these recommended practices creates a rebuttable presumption that a practice is reasonable.

Subp. 3. **Occupational Safety and Health Administration rules.** When constructing, installing, refurbishing, or maintaining facilities, utilities shall comply with all regulations promulgated by the United States Occupational Safety and Health Administration and by the Occupational Safety and Health Division of the Minnesota Department of Labor and Industry.

7826.0400 ANNUAL SAFETY REPORT.

On or before April 1 of each year, each utility shall file a report on its safety performance during the last calendar year. This report shall include at least the following information:

A. summaries of all reports filed with the United States Occupational Safety and Health Administration and the Occupational Safety and Health Division of the Minnesota Department of Labor and Industry during the calendar year; and

B. a description of all incidents during the calendar year in which an injury requiring medical attention or property damage resulting in compensation occurred as a result of downed wires or other electrical system failures and all remedial action taken as a result of any injuries or property damage described.

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Proposed Rules

7826.0500 RELIABILITY REPORTING REQUIREMENTS.

Subpart 1. Annual reporting requirements. On or before April 1 of each year, each utility shall file a report on its reliability performance during the last calendar year. This report shall include at least the following information:

A. the utility's SAIDI for the calendar year, by work center and for its assigned service area as a whole;

B. the utility's SAIFI for the calendar year, by work center and for its assigned service area as a whole;

C. the utility's CAIDI for the calendar year, by work center and for its assigned service area as a whole;

D. an explanation of how the utility normalizes its reliability data to account for major storms;

E. an action plan for remedying any failure to comply with the reliability standards set forth in part 7826.0600 or an explanation as to why noncompliance was unavoidable under the circumstances;

F. to the extent feasible, a report on each interruption of a bulk power supply facility during the calendar year, including the reasons for interruption, duration of interruption, and any remedial steps that have been taken or will be taken to prevent future interruption;

G. a copy of each report filed under part 7826.0700;

H. to the extent technically feasible, circuit interruption data, including identifying the worst performing circuit in each work center, stating the criteria the utility used to identify the worst performing circuit, stating the circuit's SAIDI, SAIFI, and CAIDI, explaining the reasons that the circuit's performance is in last place, and describing any operational changes the utility has made, is considering, or intends to make to improve its performance;

I. data on all known instances in which nominal electric service voltages on the utility's side of the meter did not meet the standards of the American National Standards Institute for nominal system voltages greater or less than voltage range B;

J. data on staffing levels at each work center, including the number of full-time equivalent positions held by field employees responsible for responding to trouble and for the operation and maintenance of distribution lines; and

K. any other information the utility considers relevant in evaluating its reliability performance over the calendar year.

Subp. 2. Initial reporting requirements. Within 60 days of the effective date of parts 7826.0100 to 7826.2000, each utility shall file its SAIDI, SAIFI, and CAIDI for each of the past five calendar years, by work center and for its assigned service area as a whole. If this information is not available, the utility shall file an explanation of how it has been tracking reliability for the past five years, together with reliability data for that period of time. If the utility has implemented a new reliability tracking system that makes comparisons between historical data and current data unreliable, the utility shall explain this situation in its filing.

7826.0600 RELIABILITY STANDARDS.

Subpart 1. Annually proposed individual reliability standards. On or before April 1 of each year, each utility shall file proposed reliability performance standards in the form of proposed numerical values for the SAIDI, SAIFI, and CAIDI for each of its work centers. These filings shall be treated as "miscellaneous tariff filings" under the commission's rules of practice and procedure, part 7829.0100, subpart 11.

Subp. 2. Annually set, utility-specific, reliability standards. The commission shall set reliability performance standards annually for each utility in the form of numerical values for the SAIDI, SAIFI, and CAIDI for each of its work centers. These standards remain in effect until the commission takes final action on a filing proposing new standards or changes them in another proceeding.

7826.0700 REPORTING MAJOR SERVICE INTERRUPTIONS.

Subpart 1. Contemporaneous reporting. A utility shall promptly inform the commission's Consumer Affairs Office of any major service interruption. At that time, the utility shall provide the following information, to the extent known:

A. the location and cause of the interruption;

B. the number of customers affected;

C. the expected duration of the interruption; and

D. the utility's best estimate of when service will be restored, by geographical area.

Subp. 2. Written report. Within 30 days, a utility shall file a written report on any major service interruption in which ten percent or more of its Minnesota customers were out of service for 24 hours or more. This report must include at least a description of:

A. the steps the utility took to restore service; and

B. any operational changes the utility has made, is considering, or intends to make, to prevent similar interruptions in the future or to restore service more quickly in the future.

7826.0800 CUSTOMER NOTICE OF PLANNED SERVICE INTERRUPTIONS.

Utilities shall give customers the most effective actual notice possible of any planned service interruption expected to last longer than 20 minutes. For any planned interruption expected to exceed four hours, the utility shall provide, if feasible, mailed notice one week in advance and notice by telephone or door-to-door household visits 12 to 72 hours before the interruption. Planned service interruptions must be scheduled at times to minimize the inconvenience to customers.

7826.0900 METER READING FREQUENCY; CUSTOMER ACCOMMODATION.

Subpart 1. Meter reading performance standard. Utilities shall attempt to read all meters on a monthly basis unless otherwise authorized by the commission. Utilities are assumed to be in compliance with this standard if they read at least 90 percent of all meters during the months of April through November and at least 80 percent of all meters during the months of December through March. Utilities shall contact any customer whose bill has been estimated for two consecutive months and attempt to schedule a meter reading.

Subp. 2. Evening and weekend meter reading. Utilities shall read meters during the evening or on Saturday or Sunday for customers whose meters are inaccessible and whose work or other schedule makes meter reading during regular business hours a hardship. When a utility contacts a customer on an individual basis to schedule a meter reading, the utility shall inform the customer of the available alternatives that the utility provides, such as the customer's option to provide a self-read. If alternative arrangements are not acceptable to the customer, the utility shall inform the customer that the utility provides evening and weekend meter reading for customers whose work schedule or other schedule makes meter reading during regular business hours a hardship.

7826.1000 REPLACING MALFUNCTIONING METERS.

Utilities shall replace a malfunctioning meter within ten calendar days of receiving a report from a customer questioning its accuracy or within ten calendar days of learning in some other way that it may be inaccurate.

7826.1100 KEEPING SERVICE CALLS.

Utilities shall keep service call appointments and shall provide as much notice as possible when an appointment cannot be kept. A service call appointment is kept if the worker arrives within a four-hour period set by the utility and clearly communicated to the customer.

7826.1200 CALL CENTER RESPONSE TIME.

Subpart 1. Calls to business office. On an annual basis, utilities shall answer 80 percent of calls made to the business office during regular business hours within 20 seconds. "Answer" means that an operator or representative is ready to render assistance or accept the information to handle the call. Acknowledging that the customer is waiting on the line and will be served in turn is not an answer. If the utility uses an automated call-processing system, the 20-second period begins when the customer has selected a menu option to speak to a live operator or representative. Utilities using automatic call-processing systems must provide that option, and they must not delay connecting the caller to a live operator or representative for purposes of playing promotional announcements.

Subp. 2. Calls regarding service interruptions. On an annual basis, utilities shall answer 80 percent of calls directed to the telephone number for reporting service interruptions within 20 seconds. "Answer" may mean connecting the caller to a recording providing, to the extent practicable, at least the following information:

- A. the number of customers affected by the interruption;
- B. the cause of the interruption;
- C. the location of the interruption; and
- D. the utility's best estimate of when service will be restored, by geographical area.

7826.1300 ANNUAL SERVICE QUALITY REPORT FILING.

On or before April 1 of each year, each utility shall file a report on its service quality performance during the last calendar year. These filings must be treated as "miscellaneous tariff filings" under the commission's rules of practice and procedure, part 7829.0100, subpart 11. This report must include at least the information set forth in parts 7826.1400 to 7826.2000.

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Proposed Rules

7826.1400 REPORTING METER-READING PERFORMANCE.

The annual service quality report must include a detailed report on the utility's meter-reading performance, including, for each customer class and for each calendar month:

- A. the number and percentage of customer meters read by utility personnel;
- B. the number and percentage of customer meters self-read by customers;
- C. the number and percentage of customer meters that have not been read by utility personnel for periods of six to 12 months and for periods of longer than 12 months, and an explanation as to why they have not been read; and
- D. data on monthly meter-reading staffing levels, by work center or geographical area.

7826.1500 REPORTING INVOLUNTARY DISCONNECTIONS.

The annual service quality report must include a detailed report on involuntary disconnections of service, including, for each customer class and each calendar month:

- A. the number of customers who received disconnection notices;
- B. the number of customers who sought cold weather rule protection under chapter 7820 and the number who were granted cold weather rule protection;
- C. the total number of customers whose service was disconnected involuntarily and the number of these customers restored to service within 24 hours; and
- D. the number of disconnected customers restored to service by entering into a payment plan.

7826.1600 REPORTING SERVICE EXTENSION REQUEST RESPONSE TIMES.

The annual service quality report must include a report on service extension request response times, including, for each customer class and each calendar month:

- A. the number of customers requesting service to a location not previously served by the utility and the intervals between the date service was installed and the later of the in-service date requested by the customer or the date the premises were ready for service; and
- B. the number of customers requesting service to a location previously served by the utility, but not served at the time of the request, and the intervals between the date service was installed and the later of the in-service date requested by the customer or the date the premises were ready for service.

7826.1700 REPORTING CALL CENTER RESPONSE TIMES.

The annual service quality report must include a detailed report on call center response times, including calls to the business office and calls regarding service interruptions. The report must include a month-by-month breakdown of this information.

7826.1800 REPORTING EMERGENCY MEDICAL ACCOUNT STATUS.

The annual service quality report must include the number of customers who requested emergency medical account status under *Minnesota Statutes*, section 216B.098, subdivision 5, the number whose applications were granted, and the number whose applications were denied and the reasons for each denial.

7826.1900 REPORTING CUSTOMER DEPOSITS.

The annual service quality report must include the number of customers who were required to make a deposit as a condition of receiving service.

7826.2000 REPORTING CUSTOMER COMPLAINTS.

The annual service quality report must include a detailed report on complaints by customer class and calendar month, including at least the following information:

- A. the number of complaints received;
- B. the number and percentage of complaints alleging billing errors, inaccurate metering, wrongful disconnection, high bills, inadequate service, and the number involving service-extension intervals, service-restoration intervals, and any other identifiable subject matter involved in five percent or more of customer complaints;
- C. the number and percentage of complaints resolved upon initial inquiry, within ten days, and longer than ten days;
- D. the number and percentage of all complaints resolved by taking any of the following actions:

- (1) taking the action the customer requested;
 - (2) taking an action the customer and the utility agree is an acceptable compromise;
 - (3) providing the customer with information that demonstrates that the situation complained of is not reasonably within the control of the utility; or
 - (4) refusing to take the action the customer requested; and
- E. the number of complaints forwarded to the utility by the commission's Consumer Affairs Office for further investigation and action.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

Expedited and Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

Department of Public Safety

Adopted Permanent Rules Relating to Driver Examinations

The rules proposed and published at *State Register*, Volume 26, Number 48, pages 1590-1606, May 20, 2002 (26 SR 1590), are adopted with the following modifications:

7410.4300 IDENTIFICATION REQUIRED.

Subpart 1. **Documentation required.** Except as provided in subpart 2, the applicant for a driver's license must present documentation of proof of full name, date of birth, and identity as specified in part 7410.0400 to the commissioner before taking any knowledge test, road test, or skills test.

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Adopted Rules

7410.4720 TEST REVIEW.

- A. An applicant's test ~~may~~ shall be seen and reviewed only by the applicant and the commissioner.
- B. An applicant's test ~~may~~ shall not be seen or reviewed by a parent, teacher, or other person, except as provided in part 7410.4740.
- C. Tests ~~may~~ shall not be copied, duplicated, or distributed.
- D. An applicant's test ~~may~~ shall be reviewed at a time convenient to the commissioner.

7410.5140 VEHICLE SAFETY CHECK.

- D. Except as provided in subitem (1), headlights must be used during the test.

7410.5200 MOTORCYCLE AND MOTORIZED BICYCLE EQUIPMENT SAFETY STANDARDS.

Subpart 1. **Motorcycle.**

- B. The commissioner ~~may~~ shall not inspect the vehicle for equipment necessary to legally operate on the street or highway if the skills test is not conducted on a public street or highway.

Department of Public Safety

Adopted Permanent Rules Relating to Loss of Driving Privilege

The rules proposed and published at *State Register*, Volume 26, Number 48, pages 1590-1616, May 20, 2002 (26 SR 1590), are adopted with the following modifications:

7409.2100 VIOLATION RESULTING IN FATALITY OR PERSONAL INJURY.

The commissioner shall suspend the driver's license of a person upon receiving a record of conviction, other than a petty misdemeanor, under *Minnesota Statutes*, chapter 169 or an ordinance regulating traffic, except traffic laws specifically excluded from the driving record by statute, and department records show that the violation contributed in causing an accident resulting in the death or personal injury of another. Unless otherwise recommended by the court, the driver's license must be suspended for a period of:

- A. 90 days, if the violation upon which the conviction was based resulted in the personal injury of another person; ~~and or~~

7409.3600 LIMITED LICENSE.

Subp. 9. **Out-of-state license holder.** Upon application for a Minnesota limited driver's license by a person with a state license other than one issued by Minnesota, the commissioner ~~shall~~ may issue a limited license in Minnesota if:

Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners' orders are compiled in the year-end subject matter index for each volume of the *State Register*.

Minnesota Pollution Control Agency

Notice of Intent to Approve the Creation of the Wannaska Sanitary District in Accordance with *Minnesota Statutes* §§115.18 to 115.20

The Township of Grimstad and the Township of Mickinock have petitioned the Minnesota Pollution Control Agency (MPCA) to approve the creation of a sanitary district to be known as the Wannaska Sanitary District. The purpose of the sanitary district is to promote the public health and welfare by providing the residents within its boundaries an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage.

The territory of the proposed district is located within the Townships of Grimstad and Mickinock, Roseau County, Minnesota. The territory of the proposed sanitary district is legally described as:

The Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) of Section 24, the East Half of the Northeast Quarter (E1/2, NE1/4) (that part lying east of the South Branch - Roseau River) of Section 25, Township 160 North, Range 40 West; and the Southwest Quarter of the Southwest Quarter (SW1/4, SW1/4) of Section 19, the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section 30, Township 160 North, Range 39 West, Roseau County, Minnesota.

A map displaying the boundaries of the proposed district is available at the MPCA.

The public has 30 days to submit written comments on the petition. If a person objects to the petition, that person may submit a written request for a hearing that meets the requirements of *Minnesota Rules* pts. 7000.1800 and 7000.1900. The written comments or a written request for a hearing must be submitted to the MPCA by 4:30 p.m. on October 30, 2002. If twenty-five (25) or more timely requests for hearing are received, the MPCA will schedule a hearing prior to making a determination on the petition.

Following the end of the comment period and, if held, the public hearing, the MPCA Commissioner will decide whether to approve the petition for creation of the district unless, as provided by *Minnesota Statutes* § 116.02, the MPCA Citizens' Board makes this decision. You have the right to submit a petition to the MPCA Commissioner requesting that the MPCA Citizens' Board make the decision on approval of the petition for creation of the Wannaska Sanitary District. Your petition must be in writing and must be received by MPCA staff during the public comment period. The MPCA Citizens' Board will only make the decision on approval of the petition for creation of the sanitary district if the MPCA Commissioner grants your petition or if an MPCA Citizens' Board member makes a timely request to have the decision made by the MPCA Citizens' Board.

A copy of the petition, resolution, map of the area within the proposed sanitary district with the legal description, and other documents relevant to the petition can be requested from the MPCA. Comments, questions, and requests for a hearing regarding the creation of the sanitary district and requests for information must be submitted in writing to:

Debra Moynihan
Regional Environmental Management Division
Southeast Region
Minnesota Pollution Control Agency
18 Wood Lake Drive Southeast
Rochester, Minnesota 55904
Phone: (507) 280-3589
Toll-free: 1- 800-657-3864
TTY: (651) 282-5332
Fax: (507) 280-5513

This notice, the petition, and other documents relevant to the petition can be made available in other formats, including Braille, large print, audio-tape, and other languages upon request.

Dated: 30 September 2002

Karen A. Studders
Commissioner

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604.

Department of Revenue

Revenue Notice #02-16: Minnesota Estate Tax - Issues for Estates Required to File a Minnesota Return but not a Federal Return

Due to the changes in the federal estate tax made in 2001 effective for estates of decedents dying after December 31, 2001 and the Minnesota response in 2002 to not adopt the federal changes, a number of issues need to be clarified in computing and administering the Minnesota estate tax where an estate is required to file a Minnesota estate tax return (gross estate in excess of \$700,000) and a federal estate tax return is not required (gross estate of less than \$1,000,000).

1. If a Minnesota estate tax return is required to be filed, a federal estate tax return is not required to be filed, and the estate needs more time to meet the due date (9 months from date of death) for filing and paying the Minnesota estate tax, the Commissioner of Revenue will abate the penalties for late filing and late payment of the Minnesota estate tax if the estate makes a payment by the due date of a "reasonable estimate" of the Minnesota estate tax (estate's payment should be accompanied by Minnesota Form PV86), and files the return and pays the remaining tax within 15 months of the decedent's date of death. For the purposes of this notice, a payment of 90 percent of the amount of Minnesota estate tax shown on the return will be presumed to be a "reasonable estimate."
2. If a Minnesota estate tax return is required to be filed, but a federal estate tax return is not, the estate must use the date of death values of assets since alternative value (value of asset six months from date of death) is not available. The alternative value cannot be elected federally (*I.R.C.* section 2032 (c)) since there will not be a federal tax using date of death value and Minnesota allows only alternative valuation if it is elected federally (*Minnesota Statutes*, section 291.215).
3. Similarly, special use valuation of farmland cannot be used for Minnesota estate tax unless special use valuation of the farmland is elected federally on a federally (*I.R.C.* section 2032A) filed estate tax return (*Minnesota Statutes*, section 291.215).
4. Finally, in the case of deductions which can be claimed on either the federal estate tax return or the estate's federal fiduciary income tax return, but not on both (by an election under *I.R.C.* section 642(g)) if a federal estate tax return is not required and a Minnesota estate tax return is required, the deductions can be claimed on the Minnesota estate tax return and still be claimed on both the estate's federal and Minnesota fiduciary income tax return.

Jennifer L. Engh
Assistant Commissioner

Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture

Agronomy and Plant Protection Services Division

Notice of Cancellation of Minnesota Agricultural Response Compensation Board Meeting

The November 20, 2002, Agricultural Chemical Response Compensation Board (ACRRA Board) meeting has been cancelled due to limited funds. Sufficient time must be given for a meeting to be cancelled in order for interested and affected parties to be notified and to allow cases brought before the board to be adequately prepared. The next regular Board meeting will be held Wednesday, January 15, 2003 at the Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, Minnesota, first floor Conference Room 1 at **9:30 a.m.** Please call the ACRRA Program, (651) 297-3490 or (651) 296-3349, should you require additional information.

Emergency Medical Services Regulatory Board

NOTICE OF COMPLETED APPLICATION: In the Matter of the License Application of the Fairfax Ambulance Service, Fairfax, Minnesota

PLEASE TAKE NOTICE that the Emergency Medical Services Regulatory Board (hereinafter EMSRB) has received a completed application from the **Fairfax Ambulance Service, Fairfax, Minnesota**, for a new license, advanced ambulance - part time.

NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* section 144E.11, subdivision 3, each municipality, county, community health board, governing body of a regional emergency medical services system, ambulance service and other person wishing to make recommendations concerning the disposition of the application, shall make written recommendations or comments opposing the application to the EMSRB within 30 days or by **October 30, 2002, 4:30 p.m.**

Written recommendations or comments opposing the application should be sent to:

Mary Hedges, Executive Director
EMSRB
2829 University Avenue S.E., Suite 310
Minneapolis, Minnesota 55414-3222

If fewer than six comments opposing the application are received during the comment period, and the EMSRB approves the application, the applicant will be exempt from a contested case hearing, pursuant to *Minnesota Statutes* section 144E.11, subdivision 4. If six or more comments in opposition to the application are received during the comment period or the EMSRB denies the application, the applicant may immediately request a contested case hearing, or may try to resolve the objections of the public and/or the EMSRB within 30 days, pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(a), (b). If the applicant is unable to resolve the objections within 30 days, or if the applicant initially requests a contested case hearing one will be scheduled and notice of the hearing given pursuant to *Minnesota Statutes* section 144E.11, subdivision 5(c), (e).

Dated: 18 September 2002

Mary F. Hedges
Executive Director

Department of Finance

Budget Services Division

Notice of Rate Change for Provider Tax Research Credit

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes* 295.53 Subdivision 4a(e), the research tax credit for companies subject to the gross earnings tax under *Minnesota Statutes* 295.52 is reduced to 2.0 percent of revenues for patient services used to fund expenditures for qualifying research conducted by an allowable research program, beginning calendar year 2003.

For additional information, please call Kristin Dybdal, Executive Budget Officer, at (651) 296-5618.

Anne Barry
Acting Commissioner

Department of Human Services

Family and Children's Services Division

Notice of Publication of State Title XX Intended Use Report and Title XX Activities Report

Family and Children's Services Division of the Minnesota Department of Human Services has submitted a Title XX Pre-Expenditure Intended Use Report for the period of October 1, 2002 through September 30, 2003 and a Title XX Post-Expenditure Report for the period of October 1, 2000 through September 30, 2001 to the United States Department of Health and Human Services, Office of Community Assistance. These reports are intended to meet federal requirements for funds provided under Title XX of the Social Security Act.

Official Notices

The plans are available for public review and comment. A copy can be obtained by contacting:

Minnesota Department of Human Services
Family and Children's Services Division
Title XX Pre-Expenditure Intended Use Report 2002 and/or
Title XX Post-Expenditure Report 2001
444 Lafayette Road North
St. Paul, MN 55155-3832

Metropolitan Council

2003 DBE Goal

The Metropolitan Council's Disadvantaged Business Enterprise Program (DBE) and goal request for fiscal year 2003 has been submitted to the Federal Transportation Administration (FTA), pursuant to part 26 of the *Code of Federal Regulations*, Chapter 49. When approved the Council's overall DBE goal of 12% for DOT-assisted contracts will be effective from October 2, 2002 through September 30, 2003. This goal and a description of how it was set is available for inspection during normal business hours at the Council offices for 30 days from the date of this notice. Comments, which are for information purposes only, may be sent to the Director, Office of Diversity and Equal Opportunity, Metropolitan Council, Mears Park Centre, 230 E. Fifth St., St. Paul, MN 55101; or the U.S. Department of Transportation, 400 7th St. SW., Washington, DC, 20590.

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Trade and Economic Development

Business and Community Development Division

Request for Applications – Urban Initiative Loan Program

The Urban Initiative Board is accepting applications from non-profit organizations in the Twin Cities area to participate in the Urban Initiative Loan Program. Grants are made to qualified organizations, which use these funds to make loans to startup or expanding businesses located in low income areas. The overall objective of the program is to encourage private investment, provide jobs for minority persons and others, create and strengthen minority business enterprises, and promote economic development in a low-income area. Eligible groups are nonprofit corporations which demonstrate a capacity to make business loans, provide appropriate technical assistance to loan clients, and strengthen minority business enterprises.

The amount of the grant to any one organization depends on a variety of factors including the ability and experience of the lending organization. State funds must be matched by private sources.

Applicants have until 5:00 p.m. on October 30, 2002 to submit applications to the Board. If mailed, applications must be received by that date.

A full copy of the Request for Application is available upon request. Contact Bart Bevins at **phone:** (651) 297-1170, **fax:** (651) 296-5287, or via **email:** bart.bevins@state.mn.us. Applications should be sent to:

Bart Bevins
Urban Initiative Board
c/o Department of Trade and Economic Development
500 Metro Square
121 E. 7th Place
St. Paul, MN 55101-2146

Please contact Mr. Bevins at the phone numbers indicated above if you have questions.

State Contracts

Informal Solicitations: Effective March 1, 2002, informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) website. Interested vendors are encouraged to monitor the P/T Contract section of the MMD website at www.mmd.admin.state.mn.us for informal solicitation announcements.

Formal Solicitations: Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

Board of Electricity

Notice of Request for Proposals for Providing Electrical Inspection Service for Fiscal Year 2003 (July 1, 2002 Through June 30, 2003)

The Board of Electricity is requesting proposals to provide electrical inspection service for the cities or towns of Breezy Point, Cross Lake, Emily, Fifty Lakes, Jenkins, Manhattan Beach, and Pequot Lakes, and the townships of Fairfield, Gail Lake, Ideal, Jenkins, Little Pine, Mission, Pelican, Ross Lake, Sibley, and Timothy in Crow Wing County and the cities or towns of Backus, Chickamaw Beach, Hackensack, and Pine River, and the townships of Ansel, Barclay, Beulah, Birch Lake, Blind Lake, Bull Moose, Bungo, Crooked Lake, Deerfield, Hiram, Loon Lake, Maple, McKinley, Moose Lake, Pine River, Ponto Lake, Poplar, Powers, Smokey Hollow, Thunder Lake, Trelpe (north and south), Wabedo, Walden, Wilson, and Woodrow in Cass County.

In accordance with *Minnesota Statutes* section 326.241, subdivision 2(2), all individuals providing inspection service must be licensed as journeyman or master electricians.

A detailed Request for Proposals packet has been prepared by the Board that details this inspection area, minimum service requirements, and other related information. The packet is available by mail, or for pick-up at the board office. The packet cannot be faxed or emailed.

Prospective responders interested in submitting a proposal for this service should request the detailed Request for Proposals. Requests for the detailed Request for Proposals and related questions should be directed to the following person:

John I. Williamson, Assistant Executive Secretary
Minnesota Board of Electricity
Griggs-Midway Building, Suite S-128
1821 University Avenue
St. Paul, MN 55104
Phone: (651) 642-0800
Fax: (651) 642-0441
Email: john.williamson@state.mn.us

Proposals must be received at the Board office by **4:30 p.m. Central Time, Tuesday, October 15, 2002. Late proposals will not be considered.**

Minnesota Historical Society

Request for Bids for Construction of an Interpretive Center Addition – Split Rock Lighthouse Historic Site

S.P. 94-595-08: Minnesota Project. No. MHS MUSM (007)

The Minnesota Historical Society is seeking bids from qualified firms and individuals for Construction of an Interpretive Center Addition at the Split Rock Lighthouse Historic Site in Two Harbors, Minnesota. **A MANDATORY PRE-BID MEETING will be held at the Split Rock Lighthouse Historic Site at 1:00 p.m., Local Time, on Wednesday, October 2, 2002.** The Request for Bids is available by calling or writing Mary Green-Toussiant, Contracting and Procurement Assistant, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102. **Phone:** (651) 297-7007, **email:** mary.green-toussiant@mnhs.org

Bids must be submitted in the format that will be described in the Request for Bids. **Sealed bids must be received by Chris M. Bonnell, Contracting Officer, or an authorized agent, at the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102, by 2:00 p.m., Local Time, Wednesday, October 16, 2001. Late bids will not be accepted.**

Minimum wage rates to be paid by the Contractors have been predetermined and are subject to the Work Hours Act of 1962, P.L. 87-581 and implementing regulations.

READ CAREFULLY THE WAGE SCALES AND DIVISION A OF THE SPECIAL PROVISIONS AS THEY AFFECT THIS/THESE PROJECT/PROJECTS

The Minnesota Department of Transportation hereby notifies all bidders:

In accordance with Title VI of the Civil Rights Act of 1964 (Act), as amended and Title 49, *Code of Federal Regulations* Subtitle A Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, it will affirmatively assure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded maximum opportunity to participate and/or to submit bids in response to this invitation, and will not be discriminated against on the grounds of race, color, disability, age, religion, sex or national origin in consideration for an award;

In accordance with Title VI of the Civil Rights Act of 1964 as amended, and Title 23, *Code of Federal Regulations*, Part 230 Subpart A-Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (including supportive services), it will affirmatively assure increased participation of minority groups and disadvantaged persons and women in all phases of the highway construction industry, and that on any project constructed pursuant to this advertisement equal employment opportunity will be provided to all persons without regard to their race, color, disability, age, religion, sex or national origin;

In accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363.03 Unfair discriminatory Practices, it will affirmatively assure that on any project constructed pursuant to this advertisement equal employment opportunity will be offered to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age;

In accordance with the Minnesota Human Rights Act, *Minnesota Statute* 363.073 Certificates of Compliance for Public Contracts, and 363.074 Rules for Certificates of Compliance, it will assure that appropriate parties to any contract entered into pursuant to this advertisement possess valid Certificates of Compliance.

If you are not a current holder of a compliance certificate issued by the Minnesota Department of Human Rights and intend to bid on any job in this advertisement you must contact the Department of Human Rights immediately for assistance in obtaining a certificate. The following notice from the Minnesota Department of Human Rights applies to all contractors:

“It is hereby agreed between the parties that *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based on this specification or any modification of it. A copy of *Minnesota Statute* 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency.”

“It is hereby agreed between the parties that this agency will require affirmative action requirements be met by contractors in relation to *Minnesota Statute* 363.073 and *Minnesota Rules* 5000.3600. Failure by a contractor to implement an affirmative action plan or make a good faith effort shall result in revocation of its certificate or revocation of the contract (*Minnesota Statute* 363.073, Subd. 2 and 3).”

A minimal goal of 6.52% Good Faith Effort to be subcontracted to disadvantaged Business Enterprises.

Department of Human Services

Notice of Request for Proposals to Examine Disparities in Minnesota Health Care Programs for the Minnesota Department of Human Services

The Minnesota Department of Human Services (DHS) is soliciting proposals from qualified parties to investigate disparities in the utilization of preventive and other medical care among enrollees in Minnesota Health Care Programs (MHCP). The investigation **must** be conducted by a Quality Improvement Organization (QIO), Peer Review Organization (PRO), an entity that is eligible to be a PRO (PRO-like), or by a private body. The contractor is expected to assist DHS in conducting a utilization study and investigating the causes of barriers to MHCP services. DHS is interested in disparities between groups defined by race/ethnicity, delivery system (managed care and fee-for-service), education, age, gender, labor force participation, marital status, residence, and health.

Qualified responders are expected to perform the following tasks:

- Conduct focus groups with Somali, Hmong, Hispanic, African-American, American Indian, and white MHCP enrollees. The information obtained from the focus groups will inform the development of survey instruments.
- Work with DHS staff to develop survey instruments to investigate barriers among enrollees of MHCP.
- Translate survey instruments into Somali, Hmong and Spanish or subcontract with another vendor to do the translations.
- Administer the survey instruments to a random sample of MHCP enrollees and oversamples of the smaller racial/ethnic groups
- Clean and analyze the data collected.
- Submit cleaned data and codebook.
- Produce a final study report.

DHS has estimated that the cost of the study and investigation should not exceed \$450,000. Vendors will be responsible for all costs and expenses incurred in responding to this RFP. DHS reserves all rights to proceed in whatever manner it perceives to be in its best interest, and may cancel this RFP at any time and/or choose not to purchase any services or solutions from outside resources.

A copy of the complete Request for Proposals can be obtained from DHS **website** at: www.dhs.state.mn.us or a paper copy by contacting:

Sara Koppe
Performance Measurement and Quality Improvement
Minnesota Department of Human Services
444 Lafayette Road North
St. Paul, MN 55155-3865
Phone: (651) 215-6260
Fax: (651) 215-5754
Email: sara.koppe@state.mn.us

Proposals must be received no later than **3:00 p.m. on November 15, 2002.**

Legislative Coordinating Commission

Request for Bid for Financial Audit for Fiscal Year 2002

The Minnesota Legislative Coordinating Commission is requesting proposals to audit the financial statements of the Commission for the fiscal year ending June 30, 2002. The LCC's expenditures for fiscal year 2002 were \$15.2 million. The audit is to be performed by an independent certified public accounting firm licensed to do business in the State of Minnesota.

To obtain a copy of the complete Request for Bid, contact:

Chad Thuet
Minnesota Legislative Coordinating Commission
Room 85 State Office Building
100 Rev. Dr. Martin Luther King Jr., Blvd.
St. Paul, MN 55155-1298
Phone: (651) 296-1121
Email: chad.thuet@commissions.leg.state.mn.us

Proposals must be received by the Legislative Coordinating Commission at the above address no later than **4:00 p.m., on October 18, 2002.**

State Contracts

Department of Transportation

Program Support Group

Notice Concerning Professional/Technical Contract Opportunities

NOTICE TO ALL: The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: www.dot.state.mn.us/consult

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Minnesota Veterans Homes Board

Minneapolis Veterans Home

Notice of Request for Proposals for Supplemental Nursing Services

The Minnesota Veterans Homes - Minneapolis is soliciting proposals for contracts, to provide supplemental nursing services, including the services of registered nurses, licensed practical nurses and nursing assistants for residents of this nursing and boarding care facility.

The Minnesota Veterans Home - Minneapolis reserves the right to award this contract to multiple vendors. The Request for Proposal does not obligate the state to complete the project and the state reserves the right to cancel solicitation if it is considered to be in its best interest.

These contracts may be let for a period of up to five years, beginning November 1, 2002. For details and a copy of the Request for Proposals, contact William Trcka, Purchasing Director, at **phone:** (612) 721-0665, or write to Minnesota Veterans Home - Minneapolis, Attn: William Trcka, Director of Purchasing, 5101 Minnehaha Avenue, Minneapolis, MN 55417.

All proposals must be received no later than **2:00 p.m., on October 17, 2002.**

Available at Minnesota Bookstore

Order form on back page

Cribbage Boards

New for 2002, these hinged, wooden, laser-cut cribbage boards are sure to make a hit! Comes with pegs.

Cribbage boards "x" **WITH** playing cards

Fishing Stock No. 15-44 \$25.99

Deer Stock No. 15-42 \$25.99

Game Birds Stock No. 15-43 \$25.99

Cribbage boards "x" **ONLY** (no cards)

Deer Stock No. 15-17 \$19.99

Loon Stock No. 15-32 \$19.99

Raccoon Stock No. 15-20 \$19.99



Prices shown do NOT include shipping or applicable sales tax.

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Dakota County Community Services Contract Unit

Notice of Request for Letters of Interest (LOI's) Soliciting Qualified Providers for the Purpose of Providing Employment Related Services for Qualified Dakota County Youth

NOTICE IS HEREBY GIVEN that Dakota County Employment and Economic Assistance/Workforce Services and Dakota County Workforce Council/Dakota County Youth Council is soliciting LOI's from qualified parties for the purpose of providing youth programs for the Workforce Investment Act (Public Law 105-220 and the Minnesota Youth Program (*Minnesota Statute* 268-561). The Dakota County Workforce Council and the Dakota County Youth Council have state funding through the Minnesota Youth Program (MYP) and federal funding through the Workforce Investment Act (WIA) available for direct services in year-round and summer programs to serve a diverse population of Dakota County youth that are income-eligible, barriered youth between the ages of 14 and 21. Dakota County is seeking both innovative projects and proven programs to serve at least 65 youth in the WIA Youth program and 185 youth in the MYP.

Contracts may or may not arise as a result of submitting a Letter of Interest. Any contractual agreements are subject to approval by the Dakota County Workforce Council and the Dakota County Board of Commissioners and funding availability.

Dakota County would like letters of interest that speak to a specific agency's experience in having the organizational, financial and staff capacity to provide service.

A copy of the request for Letters of Interest can be obtained by contacting:

Romelle Cummings, Contracts Coordinator
Dakota County Community Services
1 West Mendota Road, Suite 500
West St. Paul MN 55118-4773
Phone: (651) 554-5741
Fax: (651) 554-5948
Email: Romelle.Cummings@co.dakota.mn.us

Deadline for responses is **2:00 p.m. Central Standard Time on November 7, 2002.**

Metropolitan Council

Notice of Request for Proposals No. 02P045 for Metro Mobility Agency Paratransit Service

NOTICE IS HEREBY GIVEN that the Metropolitan Council is soliciting proposals from paratransit service providers to provide agency bus operations service for the 2003-2007 operation of Metro Mobility Agency Paratransit Service.

The Americans with Disabilities Act (ADA) defines a core, minimum service area for comparable paratransit service that matches the fixed route bus service area. This service is provided, managed and operated through the Council's Metro Mobility/Metropolitan Transit Services Division. Contractors will provide State of Minnesota STS-compliant vehicles with a variety of capacity configurations, including a minimum of 15% wheelchair accessibility within the fleet to operate agency service. Contractor's fleet must be maintained at an average age of four years old throughout the contract period. Contractors must ensure safe transportation meeting ADA paratransit service requirements. Contractors will be expected to provide transportation services during periods of rain, sleet, ice, snow and/or other adverse conditions when Council's Metro Transit and regular route transit and circulator services are operating. Contractors may propose on one or more of the three service blocks available.

The Metropolitan Council provides mass transit, circulator and complementary ADA bus service to metropolitan, suburban and the outlying Twin Cities areas of Minneapolis and St. Paul. The Council is seeking proposals from firms that have an FTA-compliant Drug and Alcohol Program, a proven bus maintenance program, and who have the capability of providing a fully trained cadre of drivers and maintenance personnel within three weeks of NTP. Local and national providers of paratransit services, paratransit

Non-State Contracts & Grants

charter companies, private paratransit companies, non-profits and public agencies that provide paratransit services are encouraged to propose.

All proposals must be submitted in accordance with the RFP. The tentative schedule is as follows:

<i>RFP Issue Date</i>	October 3, 2002
<i>RSVP for Mandatory Pre-proposal Conference</i>	October 10, 2002
<i>Mandatory Pre-proposal Conference</i>	October 17, 2002
<i>Questions Due (in writing)</i>	Ten days after Pre-proposal Conference
<i>Proposals Due</i>	November 19, 2002
<i>Evaluation Process</i>	December 2002 - January, 2003
<i>Oral Interviews, if necessary</i>	January, 2003
<i>Council Action</i>	February, 2003
<i>Contract Negotiations/Execution</i>	March, 2003
<i>Notice to Proceed</i>	April, 2003
<i>Contract Start-up Date</i>	June 30, 2003

All firms interested in this project should request a copy of the RFP through:

Amanda Houston, Administrative Assistant, Contracts and Procurement Unit
Metropolitan Council
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
Phone: (651) 602-1585
Fax: (651) 602-1138
Email: amanda.houston@metc.state.mn.us

All other inquiries regarding this procurement shall be directed by email, fax or letter to Mary DeMers at the above address: **Phone:** (651) 602-1120, **Fax:** (651) 602-1138, **email:** mary.demers@metc.state.mn.us. **From this point forward, no unauthorized contact is allowed between proposing entities and the issuing department. To do so risks Proposer disqualification.**

Minnesota Statutes, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable. The Minnesota Data Practices Act governs data submitted in response to this RFP. It provides that all information submitted by a Proposer in response to an RFP, with the exception of trade secret data as defined in *Minnesota Statutes*, section 13.37, becomes public at the times specified in the Act and is then available to any person upon request. Any information in its response for which proposer claims trade secret protection must be limited and set apart in the proposal on separate pages, with a heading that identifies the information as trade secret information. Blanket-type identification on whole pages or sections containing trade secret information will not assure protection. A statement that submitted information is copyrighted or otherwise protected does not prevent public access.

Metropolitan Council – Metro Transit

Snow Plowing and Removal Services at Foley Park and Ride Lot

The Metropolitan Council is soliciting sealed bids for Snow Plowing and Removal Services at Metro Transit's Foley Park and Ride Lot in Coon Rapids. Bids are due at **2:00 p.m., on October 21, 2002.**

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Metropolitan Council – Metro Transit

Snow Plowing and Removal at Various Park and Ride Lots and Transit Centers

The Metropolitan Council is soliciting sealed bids for Snow Plowing and Removal Services at Metro Transit's Park and Ride Lots and Transit Centers along the I-394 Corridor. Bids are due at **2:00 p.m., on October 21, 2002.**

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Metropolitan Council – Metro Transit

Transit Vehicle Tire Lease and Service

The Metropolitan Council is soliciting sealed bids for tire lease and service for Metro Transit's fleet of transit buses. The Council has established a goal of 12 percent Disadvantaged Business Enterprise participation for this contract. Bids are due at **2:00 p.m., on October 19, 2002.**

Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Paul Bunyan Scenic Byway Association

Request for Proposals for Development of an Interpretive Plan

The Paul Bunyan Scenic Byway Association is seeking proposals for development of an interpretive plan (IP) for the Paul Bunyan Scenic Byway (PBSB) located in northern Crow Wing County of Central Minnesota. The IP will carry forward the suggested interpretive foundation found in the Paul Bunyan Scenic Byway's Corridor Management Plan (CMP) and will include a strong emphasis on weaving together the past and present local stories within the framework of the IP. The IP should also include an analysis of relevant surveys and studies, development of a local sensitive template for assessing interpretive value of sites and information, establishment of a strong overall PBSB theme and sub-themes, if appropriate. Further, the IP should match a broad array of dissemination methods to the interpretive information. A clearly delineated implementation timeline for the IP is also required. Proposals must include time for attendance at up to three meetings per month, varying from 1-3 hours in length, and phone/email correspondence time of up to 10 hours per month.

Detailed specifications and submission requirements are available by contacting Lynn Scharenbroich, chairperson, Paul Bunyan Scenic Byway Association, P.O. Box 401, Pequot Lakes, MN 56472, or **email:** info@paulbunyanscenicbyway.org. Complete proposals must be returned to the above address by **4:00 p.m., CST, October 10, 2002.**

Non-State Contracts & Grants

South Country Health Alliance

Request for Proposals for Chiropractic Administrative Services

NOTICE IS HEREBY GIVEN that the Minnesota Counties of Brown, Dodge, Freeborn, Goodhue, Kanabec, Sibley, Steele, Wabasha and Waseca, collectively organized as South Country Health Alliance, are soliciting proposals from chiropractic service organizations to provide administrative services on a direct contractual basis to support the provision of chiropractic services to eligible Medical Assistance and General Assistance Medical Care populations in our counties. These services are being provided under the authority of *Minnesota Statutes*, Chapter 256B.692 ("County-based Purchasing").

The counties participating in South Country Health Alliance seek a vendor to provide specific chiropractic administrative and management functions in compliance with applicable federal, state and local laws, including: network development and management, provider credentialing, quality and utilization management, claims processing, complaints and appeals, customer and provider service, information management and data collection and reporting.

Proposals are due by **2:00 p.m. Friday, October 25, 2002**. A decision regarding the proposals will be made by November 4, 2002. SCHA reserves the right to reject any proposal. Interested parties may request a copy of the RFP by contacting:

Sue Zirngible
South Country Health Alliance
Phone: (507) 444-7770
Email: sue.zirngible@mnscha.org

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

University of Minnesota

Notice of Request for Proposals for Architectural and Engineering Services for Design of a Fire Sprinkler and Alarm System at Como Student Community Cooperative

The University of Minnesota is interested in Architectural and Engineering Services proposals for the design of a fire sprinkler and alarm (upgrade or new) system at Como Student Community Cooperative located on Como Avenue between 27th and 29th Street SE, Minneapolis MN. The intent of this Request for Proposal (RFP) is to receive, review, clarify, and evaluate the above referenced service proposals. Our final objective is to select a firm to do the design of this project.

E-mail or call your request for the full RFP, which will be sent free of charge to interested vendors.

CONTACT FOR RFP INQUIRIES:

Refer questions to:
PURCHASING SERVICES:
Chip Foster
Facilities Management
400 Donhowe Building
319 15th Ave. SE
Minneapolis, MN 55455-1082
Phone: (612) 626-8757
Fax: (612) 624-5796
Email: fosterc@facm.umn.edu

TENTATIVE SCHEDULE OF EVENTS

Be advised that these dates are subject to change as University officials deem necessary.

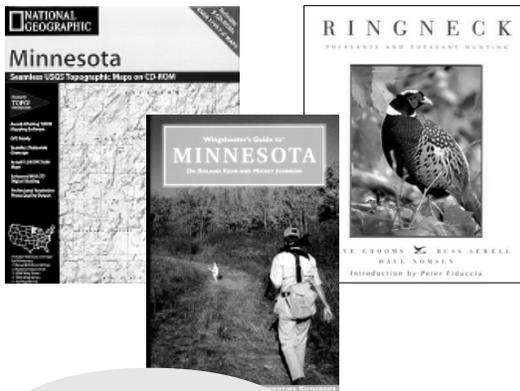
Ad for Request for Proposals	September 30, 2002, Monday
RFP Document Issued	October 3, 2002, Thursday
Mandatory Pre-Proposal Meeting/site visit at 2:30 p.m. <i>(Meet on site in the Como Community Center lobby)</i>	October 17, 2002, Thursday
All Questions/Inquiries deadline	October 21, 2002, Monday Noon
RFP Response Due at 2:00 p.m.	October 25, 2002, Friday Noon
Evaluation, Selection of Shortlisted Finalists	November 11, 2002, Monday
Respondents Presentations and Negotiations	November 25, 2002, Monday
Design Services Award	December 6, 2002, Wednesday
Substantial Completion of Construction	December 31, 2004, Friday

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

Available at Minnesota Bookstore

Order form on back page

...for the hunter



Prices shown do NOT include shipping or applicable sales tax.

Wingshooter's Guide to Minnesota

A great one-step guide for upland bird and waterfowl hunters. Packed with maps and charts, the book offers hunting tips, notes how to locate hunting areas statewide, provides species information, hunting tips and even includes lodging, restaurants, campgrounds, etc. near each hunting site. Includes hunting methods, gun, shot, and choke suggestions, habits & habitat of species, seasonal patterns, taxidermists, vets, and more. Softcover, 346pp.

Stock No. 9-84 \$26.95

Ringneck: Pheasants and Pheasant Hunting

A full-color tribute to the pheasant and its place in the sporting life of millions of upland bird hunters. Its stunning photographs, from many of the finest outdoor photographers in the country, are supported with quotations from eminent writers. A special essay by Steve Grooms takes a witty and eloquent look at the ringneck's supreme talent for outsmarting dog and hunter alike. Hardcover, 120pp.

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Minnesota USGS Topographical Maps—CD-ROM

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