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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1280

02/15/2017 Authored by Garofalo 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 an Office of Ratepayer Advocacy; proposing coding
1.3 for new law in Minnesota Statutes, chapter 216A; repealing Minnesota Statutes
1.4 2016, section 216A.07, subdivisions 2, 3.

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

1.6 Section 1. 216A.055 OFFICE OF RATEPAYER ADVOCACY.

1.7 Subdivision 1. Office established; independence. (a) An Office of Ratepayer Advocacy
1.8 is created as an independent office organized within the commission. Activities of the Office
1.9 of Ratepayer Advocacy under this section are not subject to commission oversight, authority,
1.10 or approval.

1.11 (b) The attorney general shall represent the Office of Ratepayer Advocacy.

1.12 Subd. 2. Enforcement duties. The Office of Ratepayer Advocacy is responsible for
1.13 enforcing this chapter, chapters 216B and 237, and commission orders issued under those
1.14 chapters.

1.15 Subd. 3. Intervention in commission proceeding. The Office of Ratepayer Advocacy
1.16 is authorized to intervene in proceedings before the commission. When intervening in a gas
1.17 or electric proceeding, the Office of Ratepayer Advocacy shall prepare and defend testimony
1.18 designed to encourage energy conservation improvements as defined in section 216B.241.
1.19 The attorney general shall act as counsel in the proceedings.

1.20 Subd. 4. Additional authority; intervention. (a) In addition to the duties specified in
1.21 subdivisions 2 and 3, the Office of Ratepayer Advocacy may intervene, appear, and
1.22 participate in administrative, regulatory, or judicial proceedings on behalf of any group of

2.1 consumers in connection with any matter involving rates, charges, prices, or tariffs of an
2.2 electric company, gas company, generator, transmission company, or telephone company
2.3 doing business in Minnesota and subject to the jurisdiction of the commission.

2.4 (b) The attorney general may intervene, appear, and participate in Federal Energy
2.5 Regulatory Commission or other federal energy proceedings on behalf of the Office of the
2.6 Ratepayer Advocate.

2.7 **Sec. 2. REPEALER.**

2.8 Minnesota Statutes 2016, section 216A.07, subdivisions 2 and 3, are repealed.

2.9 **EFFECTIVE DATE.** This section is effective upon establishment of the Office of
2.10 Ratepayer Advocacy under Minnesota Statutes, section 216A.055.

APPENDIX
Repealed Minnesota Statutes: 17-1085

216A.07 COMMISSIONER POWERS AND DUTIES.

Subd. 2. **Enforcement.** The commissioner is responsible for the enforcement of chapters 216A, 216B and 237 and the orders of the commission issued pursuant to those chapters.

Subd. 3. **Intervention in commission proceeding.** The commissioner may intervene as a party in all proceedings before the commission. When intervening in gas or electric hearings, the commissioner shall prepare and defend testimony designed to encourage energy conservation improvements as defined in section 216B.241. The attorney general shall act as counsel in the proceedings.