

7615.0340 APPEALS PROCESS.

Subpart 1. **Process.** Within ten days after the effective date of an order or the mailing date of a denial, any person aggrieved may appeal in writing to the commissioner. The written appeal shall include:

A. the reason for the appeal, including why the action by the office is deemed unwise or unjust;

B. the names, addresses, and telephone numbers of any persons whom it is believed might be injured by the order being appealed; and

C. the objective of the appeal, including reversal of the office action, modification of the action, or other remedies.

Subp. 2. **Commissioner's action.** Within five days of receipt of the appeal, the commissioner shall:

A. set a hearing date at least ten days after initiation of the appeal;

B. serve all interested parties with a copy of the appeal and notice of the time and place of the hearing; and

C. issue a stay of the order if it appears probable that a party may suffer serious injury, the order appears in conflict with Minnesota Statutes, section 216C.16 or other law, or it appears probable that the board will grant the appeal.

Subp. 3. **State set-aside appeals board.** The state set-aside appeals board consists of:

A. the commissioner or the commissioner's designee, as chairperson;

B. the commissioner of the Minnesota Department of Agriculture or designee thereof;

C. the commissioner of commerce of the Minnesota Department of Commerce or designee thereof;

D. the director of the Office of Emergency Management of the Minnesota Department of Public Safety or designee thereof; and

E. the chairperson of the Minnesota Public Utilities Commission or designee thereof.

Subp. 4. **Decisions on appeals.** The commissioner plus any two or more additional members may hear and decide appeals.

Subp. 5. **Informal disposition.** At any time during the proceedings, the affected parties may conclude a mutually acceptable settlement of the appeal.

Statutory Authority: *MS s 216C.16*

History: *L 1983 c 289 s 114 subd 1; L 1984 c 655 art 1 s 92; L 1987 c 71 s 2; c 312 art 1 s 9,10 subd 1*

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