

7620.0400 PRIORITY USES OF FUEL OIL.

Subpart 1. **Purpose.** The priority ranking set out below, and the allocation and conservation measures contained in parts 7620.0500 to 7620.0530, are intended to reduce the demand for petroleum products used for heating and power generation and ensure that the necessary fuel requirements of higher priority consumers are met before the lower priority consumers.

Subp. 2. **Priority uses.** In an energy supply emergency resulting from a shortage of fuel oil, highest priority uses are those essential for the health and safety of the citizens of the state. Uses within categories are not ranked by preference.

A. First priority fuel oil uses are:

- (1) health and residential care services;
- (2) residential heating;
- (3) passenger transportation;
- (4) plant protection;
- (5) emergency vehicles;
- (6) telecommunications;
- (7) energy production;
- (8) agriculture;
- (9) sanitation services; and
- (10) essential government services.

B. Second priority fuel oil uses are those necessary to minimize the economic disruption of a fuel oil shortage. Second priority fuel oil uses are:

- (1) cargo and freight hauling, except for the first priority uses as defined in item A;
- (2) personal motor transportation. Diesel-powered automobiles shall be subject to all the provisions of the motor fuel measures described in parts 7620.0600 to 7620.0730.

C. Third priority uses are those not essential for the immediate health and safety of the citizens of the state. These include:

- (1) schools and religious institutions;
- (2) government, except those services listed in item A;
- (3) commerce, except those services listed in item A;

(4) industry, except those services listed in item A.

D. In an energy supply emergency, suppliers shall be requested to deliver fuel oil to higher priority consumers before lower priority consumers, where no practicable substitute fuels are available.

E. Vehicles considered to be transporting agricultural products must have the words "first priority agricultural product" on their bill of lading or must be visibly transporting first priority agricultural products.

F. Fuel oil users may apply for state set-aside product if fuel oil becomes otherwise unobtainable, according to state set-aside application procedures developed according to Minnesota Statutes, section 216C.16. Preference shall be given higher priority consumers over lower priority consumers in the assignment of state set-aside product.

Statutory Authority: *MS s 216C.15*

History: *L 1987 c 312 art 1 s 9,10 subd 1*

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