

**7825.2200 UTILITIES WITH AFFILIATED INTERESTS; FILING.**

Each public utility shall file with the commission:

A. By April 1 of each year:

(1) A list of all corporations and persons which own or hold, directly or indirectly, five percent or more of the voting securities of the reporting public utility. Such list shall show the number of units of each class of voting securities held, the percent which the individual holding of each class is to the total outstanding of that class, and the state or incorporation of each corporation.

(2) A list of all corporations and persons which own or hold, directly or indirectly, five percent or more of the voting securities of any corporation in a chain of successive ownership of five percent or more of the voting securities of the reporting public utility. Such list shall show the number of units of each class of securities held, the percent which the individual holding of each class is to the total outstanding of that class, and the state of incorporation of each corporation.

(3) A list of all corporations five percent or more of whose voting securities are owned by any corporation or person owning five percent or more of the voting securities of the reporting public utility, or by any corporation or person in any chain of successive ownership, of each public utility, as defined in subitem (2). Such list should indicate the name of the affiliated corporation or person which owns five percent or more of the voting securities of each corporation listed.

(4) A list identifying all corporations operating a public utility or servicing organization furnishing management, supervisory, construction, engineering, accounting, financial, legal, and similar services to the reporting public utility, which have one or more officers or one or more directors in common with the reporting public utility; and every other organization which has directors in common with the public utility where the number of common directors is more than one-third of the total number of directors of the reporting public utility.

The above list should show for each corporation listed the names of the officers and directors which serve in common with the reporting public utility.

B. Petitions for approval of affiliated interest contracts or agreements accompanied by the following:

(1) a descriptive title of each contract or agreement;

(2) a copy of the contract or agreement, or modifications or revisions of an existing contract or agreement;

(3) a list and the past history of all contracts or agreements outstanding between the petitioner and affiliated interest, the consideration received by the affiliated

interest for such contracts or agreements, and a verified summary of the relevant cost records pertaining to the same;

(4) a descriptive summary of the pertinent facts and reasons why such contract or agreement is in the public interest;

(5) competitive bidding:

(a) if invitations for sealed written public proposals for the furnishing of the service sought under the contract or agreement have been made, a summary of the terms of the proposals received, including the name of each bidder or representative of a bidding group; and as an exhibit to the petition, a copy of each proposal received;

(b) if invitations for sealed written proposals have not been made, an explanation of the decisions to that effect will be submitted.

C. Within 30 days of the effective date of this part, a list of all contracts and agreements between the reporting public utility and all affiliated interests which were in effect prior to January 1, 1975, and which have continued beyond that date. Such list shall contain:

(1) a descriptive title of each contract or agreement;

(2) a copy of the contract or agreement and all amendments thereto;

(3) the date of the original contract, all amendments thereto, and the termination date;

(4) if the contract or agreement is unwritten, a descriptive summary providing the information in subitems (2) and (3); and

(5) the original or verified summary of the cost records and the amount of consideration received by the affiliated interest.

**Statutory Authority:** *MS s 216B.08; 216B.48*

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