

**7829.0100 DEFINITIONS.**

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

Subp. 2. **Classification petition.** "Classification petition" means a petition filed by a telephone company to classify a telephone service as subject to emerging or effective competition under Minnesota Statutes, section 237.59.

Subp. 3. **Commission.** "Commission" means the Minnesota Public Utilities Commission.

Subp. 4. **Complainant.** "Complainant" means a person who complains formally or informally of an alleged violation of a statute or rule within the commission's jurisdiction, a utility tariff, or a commission order.

Subp. 5. [Repealed, 40 SR 1329]

Subp. 6. **Department.** "Department" means the Minnesota Department of Commerce.

Subp. 7. **Expedited proceeding.** "Expedited proceeding" means an informal proceeding described in Minnesota Statutes, section 237.61, and subject to specific procedural requirements such as verification of pleadings.

Subp. 8. **Informal proceeding.** "Informal proceeding" means a proceeding that addresses and resolves issues of public policy, fact, or law without a formal contested case proceeding before the Office of Administrative Hearings.

Subp. 9. **Intervenor.** "Intervenor" means a person permitted to intervene as a party in a proceeding under this chapter.

Subp. 10. [Repealed, 40 SR 1329]

Subp. 11. **Miscellaneous filing.** "Miscellaneous filing" means a request or notice that does not require determination of a utility's revenue requirement.

A miscellaneous filing includes a filing involving a new service offering; a change in a utility's rates, services, terms, or conditions of service; a change in a utility's corporate structure, assigned service area, or capital structure, when conducted separately from a general rate proceeding; filings made under the rules governing automatic adjustment of charges in chapter 7825; or any related matter.

The inclusion of a particular type of filing in this list does not require a filing that would not otherwise be required or confer jurisdiction that would not otherwise be present.

Subp. 11a. **Motion filing.** "Motion filing" means a written request for specific commission action by a party within the context of an existing commission docket. This

does not include recommendations for action made in comments, or in motions made during a proceeding before an administrative law judge.

Subp. 12. **Municipality.** "Municipality" includes a town, statutory city, and home rule charter city.

Subp. 13. **Participant.** "Participant" means a person who files comments or appears in a proceeding, other than public hearings held in contested cases and other commission proceedings conducted to receive general public comments, to present views without becoming a party.

Subp. 14. **Party.** "Party" means a person by or against whom a proceeding before the commission is commenced or a person permitted to intervene in a proceeding under this chapter. A party to a proceeding is styled a "petitioner," "complainant," "intervenor," or "respondent," according to the nature of the proceeding and the relationship of the party to the proceeding.

Subp. 15. **Person.** "Person" means a natural person, corporation, municipal corporation, public corporation, utility, governmental entity, government agency, association, partnership, receiver, joint venture, trustee at common law or statutory trust guardian, or executor.

Subp. 16. **Petitioner.** "Petitioner" means a person who requests the commission's permission, authorization, or approval or a person who notifies the commission of a proposed change in a rate, service, or term or condition of service.

Subp. 17. [Repealed, 40 SR 1329]

Subp. 18. **Proceeding.** "Proceeding" means a formal or informal undertaking of the commission, in which it seeks to resolve a question or issue taken up on its own motion or presented to it in a complaint, petition, or notice of a proposed change in a rate, service, or term or condition of service.

Subp. 19. **Proof of service.** "Proof of service" means a certificate of service stating the facts of service, including the time and manner of service and the parties served.

Subp. 19a. **Protected data.** "Protected data" means data filed with the commission that is either:

A. not public data or private data on individuals under the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13; or

B. data that is protected from disclosure pursuant to the rules of privilege recognized by law.

Subp. 20. [Repealed, 40 SR 1329]

Subp. 20a. **Qualified complainant.** "Qualified complainant" means a person authorized by law to make a formal complaint to the commission.

Subp. 21. **Respondent.** "Respondent" means a person against whom a complaint is filed or against whom an investigation or other proceeding on commission motion is addressed.

Subp. 22. **Suspend.** "Suspend" means to hold in abeyance or to delay the effective date of.

Subp. 23. **Utility.** "Utility" means a gas or electric service provider, or a telephone utility under part 7810.0100, subpart 37.

**Statutory Authority:** *MS s 216A.05*

**History:** *19 SR 116; L 2001 1Sp4 art 6 s 1; 40 SR 1329*

**Published Electronically:** *June 14, 2016*