

7829.0420 UNTIMELY FILINGS.

Subpart 1. **When filings may be excluded.** On its own motion or at the request of any party or participant, the commission may exclude a filing from the record:

A. when the filing was not made within a time period established by rule, notice, or commission order; and

B. upon a commission determination that the value of the document to the commission's deliberative process is outweighed by prejudice to a party, participant, or the public interest caused by the untimeliness.

Documents in the agencies' electronic filing system excluded under this part shall remain in the agencies' electronic filing system, but shall be marked as "excluded from record by commission order" in search results.

Subp. 2. **Required statement.** A person filing a document outside a time period established by rule, notice, order, or statute shall clearly mark the document as "late filed" and include a statement explaining why the filing was untimely and why it should not be excluded by the commission.

Subp. 3. **Documents offered less than one day before consideration.** A party or participant offering a document less than one full business day prior to, or at, the commission meeting to consider issues relevant to the document, must provide ten paper copies to commission staff and sufficient paper copies for the offering party to distribute to all parties and to be available to members of the public in attendance. The offering party or participant must electronically file the document within one business day following the commission meeting if it was not electronically filed prior to the meeting.

Statutory Authority: *MS s 216A.05*

History: *40 SR 1329*

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