

**7829.2350 CLASSIFICATION PETITION.**

Subpart 1. **Initial comments.** A person wishing to comment on a classification petition shall file initial comments within 20 days of the filing. Initial comments must include a recommendation on whether the filing requires a contested case proceeding, expedited proceeding, or some other procedural treatment, together with reasons for recommending a particular procedural treatment. Initial comments must be served on the utility, department, Office of the Attorney General, persons on the general service list for the filing, and any other known parties.

Subp. 2. **Petition to intervene.** If a person who files initial comments is not entitled to intervene in a commission proceeding as of right and desires full party status, the person shall file a petition to intervene before the reply comment period expires. The intervention petition may be combined with comments on the filing and must be served on those persons entitled to receive service during the comment period when the intervention petition is filed.

Subp. 3. **Reply comments.** Commenting parties have ten days from the expiration of the original comment period to file reply comments. Reply comments must be limited in scope to the issues raised in the initial comments. Reply comments must be served on the utility and on those persons who have filed initial comments.

Subp. 4. **Nature of proceeding.** The commission shall deal with a classification petition by conducting an expedited proceeding under Minnesota Statutes, section 237.61, or by referring the matter for a contested case proceeding.

Subp. 5. **Time frame for disposition; expedited proceeding.** When the filing utility requests an expedited proceeding on its classification petition, the commission shall take final action within 60 days of the date on which the utility provides the substantive information required by statute, unless the commission finds at least one issue of material fact in dispute and refers the matter for a contested case proceeding within the same 60-day period.

Subp. 6. **Time frame for disposition; contested case proceeding.** When the commission conducts a contested case proceeding, it shall take final action within eight months of the utility's request for a contested case proceeding or the commission's order that contested case proceedings be held, whichever occurs earlier.

Subp. 7. **Extending disposition period.** The commission may extend the eight-month time frame in subpart 12 with the agreement of all parties or upon a finding that the case cannot be completed within the required time and that there is a substantial probability that the public interest would be harmed by enforcing the eight-month time frame.

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

**History:** *19 SR 116; 40 SR 1329*

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