

**7855.0010 DEFINITIONS.**

Subpart 1. **Scope.** For purposes of this chapter, the following definitions shall apply.

Subp. 2. **Commission.** "Commission" means the Minnesota Public Utilities Commission.

Subp. 3. **Applicant.** "Applicant" means the person or persons submitting a certificate of need application.

Subp. 4. **Application.** "Application" means a document, the contents of which are described in these rules, submitted to the commission for the purpose of obtaining a certificate of need.

Subp. 5. **Barrel.** "Barrel" means the quantity of liquid equaling 42 gallons (159.0 liters).

Subp. 6. **Base capacity.** "Base capacity" means:

- A. the capacity or throughput of a large energy facility as of November 14, 1978;
- B. the capacity or throughput of a certified new large energy facility; or
- C. if a large energy facility has been expanded since November 14, 1978, the capacity or throughput of the facility following the most recent certified expansion.

Subp. 7. **Btu.** "Btu" means British thermal unit, a common unit of energy measurement that is used in this chapter for comparative purposes.

Subp. 8. **Coal liquids pipeline.** "Coal liquids pipeline" means any pipeline greater than 15.2 centimeters (six inches) in diameter and having more than 80.4 kilometers (50 miles) of its length in Minnesota used for the transportation of liquids derived from coal.

Subp. 9. **Coal slurry pipeline.** "Coal slurry pipeline" means any pipeline greater than 15.2 centimeters (six inches) in diameter and have more than 80.4 kilometers (50 miles) of its length in Minnesota used for the transportation of coal or any solid derivative thereof.

Subp. 10. **Demand.** "Demand" means that quantity of products or services from the applicant's facilities for which there are willing and able purchasers.

Subp. 11. **Energy product.** "Energy product" means any fuel or other natural resource that may be used to provide energy.

Subp. 12. **Expansion.** "Expansion" means an increase in the capacity of an existing large energy facility, accomplished by one or more methods, including but not limited to increasing the size of the facility, using new or different technology, or adding pumping stations.

Subp. 13. **Firm contract customers.** "Firm contract customers" means customers served under schedules or contracts that neither anticipate nor permit interruption unless a state of emergency exists.

Subp. 14. **Forecast.** "Forecast" means a projection of future demand for some specified time period.

Subp. 15. **Forecast years.** "Forecast years" means the 16-year period consisting of the year of application plus the next 15 years.

Subp. 16. **Fuel conversion facility.** "Fuel conversion facility" means any facility intended to convert coal, peat, wood, or any other material, excepting fissile, fertile, or fissionable nuclear material, into another combustible fuel and having the capacity to process 22.7 metric tons (25 tons) of the material per hour at its peak capacity. A fuel conversion facility shall include any storage facility needed for operation of the facility at the design capacity. A coal-cleaning or coal-agglomerating facility shall not be considered a fuel conversion facility, unless its operation causes a change in the molecular structure of the input coal.

Subp. 17. **Interruptible contract customers.** "Interruptible contract customers" means customers served under schedules or contracts that anticipate or permit interruption of service during the term of the contract.

Subp. 18. **Joint application.** "Joint application" means an application submitted to the commission by two or more persons.

Subp. 19. **Mbpd-mile.** "Mbpd-mile" means a descriptive unit used as a measure of the size of a coal liquids pipeline, the quantity of which is determined by multiplying:

A. either the length in miles of the new (section of) pipeline in Minnesota, or 50 if the capacity expansion is achieved by adding power; and

B. the new or additional design capacity in thousand barrels per day (Mbpd).

If the pipeline capacity would be expanded by a combination of looping and adding power, the mbpd-miles corresponding to each method of expansion shall be calculated and the sum of the two shall be the size of the pipeline.

Subp. 20. **Mcf.** "Mcf" means 1,000 cubic feet, a common unit of volume measurement for natural gas.

Subp. 21. **Minnesota service area.** "Minnesota service area" means that part of an applicant's service area that is in Minnesota.

Subp. 22. **Mton-mile.** "Mton-mile" means a descriptive unit used as a measure of the size of a coal slurry pipeline, the quantity of which is determined by multiplying:

A. either the length in miles of new (section of) pipeline in Minnesota, or 50 if the capacity expansion is achieved by adding power; and

B. the new or additional design capacity in thousands of tons per day (Mton).

If the pipeline capacity would be expanded by a combination of looping and adding power, the Mton-miles corresponding to each expansion shall be calculated and the sum of the two shall be the size of the pipeline.

Subp. 23. **Nuclear fuel processing facility.** "Nuclear fuel processing facility" means any facility designed for or capable of processing or reprocessing any material for use as a fuel in a nuclear reactor. A nuclear fuel processing facility shall include any radioactive or nonradioactive waste storage or disposal facility on the site needed for operation of the facility at the design capacity.

Subp. 24. **Nuclear waste storage or disposal facility.** "Nuclear waste storage or disposal facility" means any facility designed for or capable of serving as a temporary or permanent depository for radioactive or associated nonradioactive wastes produced by a nuclear reactor or a nuclear fuel processing facility, including any burial ground for low-level radioactive wastes.

Subp. 25. **Peak day.** "Peak day" means that day during a calendar year when demand is the greatest.

Subp. 26. **Peak demand.** "Peak demand" means the highest demand placed upon a facility within a designated period of time.

Subp. 27. **Person.** "Person" means an individual, partnership, corporation, joint stock company, unincorporated association or society, municipal corporation, or a government or governmental subdivision, unit, or agency other than a court of law.

Subp. 28. **Promotional practices.** "Promotional practices" means any actions or policies by an applicant, an applicant's customers, or other persons that directly or indirectly give rise to the demand for the facility, including but not limited to advertising, billing practices, and other marketing activities.

Subp. 29. **Service area.** "Service area" means that geographical area in which the applicant has customers.

Subp. 30. **Substantially complete application.** "Substantially complete application" means an application that is deemed by the commission to be in substantial compliance with the information requirements of these rules.

Subp. 31. **Ton.** "Ton" means 907.2 kilograms (2,000 pounds).

**Statutory Authority:** *MS s 216B.08; 216B.2421; 216B.243; 216C.10*

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