

1 Public Utilities Commission

2

3 Adopted Rules Governing the Conservation Improvement and

4 Renewable Resource Programs

5

6 Rules as Adopted

7 7840.0200 PURPOSE.

8 The purpose of this chapter is to specify procedures to be
9 followed by public utilities in submitting, and by the Public
10 Utilities Commission in analyzing and selecting, proposals for
11 conservation improvement programs and renewable resource pilot
12 programs and to provide for the participation of other
13 interested persons in developing conservation improvement and
14 renewable resource pilot programs.

15 7840.0300 SCOPE.

16 This chapter applies to proposals by public utilities and
17 other interested persons for utility investments in conservation
18 improvement and renewable resource pilot programs.

19 7840.0400 PROJECTS IN EFFECT.

20 Approved projects that are in effect on the effective date
21 of parts 7840.0200 to 7840.1400 shall continue in effect for 60
22 days or until their expiration date, whichever occurs later.

23 7840.0500 CONSERVATION IMPROVEMENT PROGRAM FILING.

24 No later than May 1 of each year beginning in 1986, a
25 public utility required by Minnesota Statutes, section 216B.241
26 to invest in a conservation improvement program shall file with
27 the Public Utilities Commission a conservation improvement
28 program. The filing must include:

29 A. A comprehensive description of the proposed
30 program, including a description of each project making up the
31 program.

32 B. A statement quantifying each project's objectives
33 including an estimate of the expected cost effectiveness of the
34 project to the utility, to the project's participants, and to

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1 the utility's customers.

2 C. For each project targeted at residential
3 consumers, a statement of the anticipated percentage of use of
4 each project among ~~targeted-residential-consumer-groups~~ low
5 income families and individuals, and renters.

6 D. A detailed budget for each project for the next
7 year, and a projected five-year budget for the overall program.
8 If a shorter time period is more appropriate for the five-year
9 budget, the utility must provide reasons for that shorter time
10 period and the projected budget for that shorter period.

11 E. A detailed description of the proposed ratemaking
12 treatment and the proposed cost recovery method.

13 F. A description of the marketing plans for each
14 proposed project.

15 G. A description of the expected effect of each
16 project on peak and average consumption with supporting
17 assumptions, including a computation of the costs that will be
18 avoided or reduced by the implementation of the proposed project
19 and an estimate of the expected revenue effects.

20 H. An explanation of how the proposed residential
21 projects provide special consideration for renters and low
22 income customers.

23 I. An explanation of how the proposed projects
24 provide for the involvement of community energy organizations
25 when appropriate.

26 J. An outline of the proposed plan for evaluating the
27 effectiveness of the proposed project.

28 K. A status report on each project from the previous
29 year's program stating the total number of customers served; the
30 number of low income customers and the number of renters served,
31 if applicable; the total amount spent on the project to date;
32 the average amount spent on each customer participating in the
33 project, if applicable; and other information as required by the
34 Public Utilities Commission in its order approving the previous
35 year's program.

36 L. Additional information that the Public Utilities

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1 Commission determines is necessary as a result of its review or
2 evaluation of prior projects of the particular utility.

3 7840.0600 RENEWABLE RESOURCE PILOT PROGRAM FILING.

4 A public utility required by Minnesota Statutes, section
5 216B.241 to have a conservation improvement program shall file a
6 proposal for a utility renewable resource pilot program upon the
7 determination of the Public Utilities Commission that additional
8 utility renewable resource pilot programs are needed to expand
9 Minnesota's options for energy from renewable resources. For at
10 least one year after authorizing a utility's renewable resource
11 pilot program, the commission shall not require a new proposal
12 for a renewable resource pilot program from that utility. The
13 filing must include:

14 A. a comprehensive description of the proposed
15 program, including a description of each project making up the
16 program;

17 B. an estimate of the net energy to be produced by
18 each project and the projected reliability of the technology
19 which would be used;

20 C. a detailed budget for each year of the project;

21 D. an estimate of the potential cost effectiveness of
22 each project;

23 E. a description of the proposed ratemaking treatment
24 and the proposed cost recovery method; and

25 F. an outline of the proposed plan for evaluating the
26 effectiveness of the proposed project.

27 7840.0700 EXISTING PROGRAMS; FILING.

28 The filing requirements for renewing existing conservation
29 improvement program or utility renewable resource pilot program
30 projects are the same as for newly proposed projects; however,
31 if the Public Utilities Commission has material already on file,
32 the utility or interested person submitting an alternative
33 project may incorporate it by reference in its current filing.

34 7840.0800 NOTICE.

35 At the time it files its conservation improvement, or

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1 utility renewable resource pilot program with the Public
2 Utilities Commission, the public utility must provide written
3 notice of its filing to persons who participated in the
4 utility's last general rate case or who participated in its
5 conservation improvement program case or utility renewable
6 resource pilot program case during the preceding two years. The
7 commission will maintain, and provide upon request, a current
8 mailing list including these persons. The notice must state
9 that a copy of the utility's proposed program is available for
10 public inspection at the enumerated business office locations of
11 the utility and at the Public Utilities Commission's office.
12 The notice must also state that the utility will make a copy of
13 the proposed program available to interested persons upon
14 request.

15 7840.0900 COMMENT; ALTERNATIVE PROPOSALS.

16 The Public Utilities Commission shall allow 30 days from
17 the date of the filing of the public utility's program for
18 written comments on the program and the submission of
19 alternative projects by interested persons. Proposals for
20 alternative projects must follow the requirements of part
21 7840.0500 or 7840.0600 except for part 7840.0500, item K. The
22 commission shall allow 15 days from the filing of the comments
23 and alternative projects for written responses. These
24 comments and, alternative projects, and responses must be filed
25 with the Public Utilities Commission, the Department of Public
26 Service, the Department of Energy and Economic Development, and
27 the utility to which they are addressed. The persons submitting
28 the comments, alternative projects, or responses must provide
29 them to any person, upon request.

30 7840.1000 REQUEST FOR CONTESTED CASE HEARING.

31 Within ten days following the end of the comment period and
32 response periods, a utility or an interested person may file a
33 motion with the Public Utilities Commission requesting a
34 contested case hearing on a proposed program. The motion must
35 set forth with specificity the grounds for a hearing. The

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1 motion must be served on persons who filed comments in the
2 proceeding. Replies may be filed within five days from the date
3 of service of the motion. A contested case hearing will be
4 granted when a material, adjudicative fact is in dispute or a
5 substantial liberty or property interest will be adversely
6 affected.

7 7840.1100 RESPONSES; WRITTEN RECORD.

8 When a contested case hearing is not required, the Public
9 Utilities Commission may order written responses to comments,
10 oral argument, negotiations, settlement conferences, formal
11 hearing, or other procedures as it deems necessary or helpful to
12 enable it to review, analyze, and select appropriate programs
13 under Minnesota Statutes, section 216B.241. Written papers or
14 summaries of oral meetings for each proceeding filed with the
15 Public Utilities Commission must also be served upon
16 participants and will become part of the record upon which the
17 Public Utilities Commission will decide the case.

18 7840.1200 DISAPPROVAL; ORDER.

19 ~~If~~ When the Public Utilities Commission ~~does not approve~~
20 approves, disapproves, or modifies a program, project, or
21 ~~evaluation plan or modifies a program, project, or evaluation~~
22 plan, it shall set forth its reasons in a written order.

23 7840.1300 PROPOSED PROGRAM CHANGES.

24 Upon its own motion or upon the motion of a utility or
25 other person, the Public Utilities Commission may add a new
26 project or modify, expand, or terminate an existing conservation
27 improvement program or utility renewable resource pilot program
28 before ~~its~~ the program's expiration date. The moving party must
29 notify all participants in the affected utility's conservation
30 improvement program case or utility renewable resource pilot
31 program case of the motion. Interested persons must be allowed
32 15 days to submit comments on the proposed program changes. A
33 change may be ordered to make a project more effective, reach
34 more participants, reduce unnecessary or ineffective
35 expenditures, to expand, change, or reduce the geographic area

1 or target group that the project covers, or to change the time
2 period during which the project would be in effect.

3 7840.1400 RULES OF PRACTICE.

4 When not in conflict with this chapter, the Public
5 Utilities Commission's general rules of practice will also apply.

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