

1 Department of Public Service

2

3 Adopted Permanent Rules Relating to Building Energy Audits

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5 Rules as Adopted

6 ENERGY AUDITS OF PUBLIC SCHOOL DISTRICTS,

7 CITIES, COUNTIES, AND TOWNS

8 7680.0100 PURPOSE.

9 Parts 7680.0100 to 7680.0200 are adopted under the
10 authority of Minnesota Statutes, section ~~116J-035~~ 216C.02,
11 subdivision ~~2~~ 3, to establish criteria and procedures for
12 granting financial assistance to Minnesota public school
13 districts, cities, counties, and towns for conducting building
14 energy audits under the state's cost-share maxi-audit program.

15 7680.0110 DEFINITIONS.

16 Subpart 1. **Scope.** For the purposes of parts 7680.0100 to
17 7680.0200, the following terms have the meanings given them.

18 Subp. 2. **Authorized cost-share maxi-auditor.** "Authorized
19 cost-share maxi-auditor" is a person who has met the
20 requirements of part 7680.0140.

21 Subp. 3. **Building.** "Building" means any existing,
22 separate, enclosed, heated structure owned and operated by a
23 municipality.

24 Subp. 4. **Cost-share maxi-audit.** "Cost-share maxi-audit"
25 means a detailed engineering analysis of a building and its
26 energy using systems, including the plumbing, lighting, heating,
27 ventilating, and air conditioning systems. The primary
28 objective of a cost-share maxi-audit is to identify and quantify
29 the economic and engineering feasibility of energy conservation
30 measures for a building and its energy using systems.

31 Subp. 5. **Cost-share maxi-audit manual or manual.**
32 "Cost-share maxi-audit manual" or "manual" means the manual
33 incorporated by reference in part 7680.0200.

34 Subp. 6. **Cost-share maxi-audit report.** "Cost-share
35 maxi-audit report" means a written document prepared according



1 to the cost-share maxi-audit manual as the result of a
2 cost-share maxi-audit of a building.

3 Subp. 7. Department. "Department" means the Minnesota
4 Department of Public Service.

5 Subp. 8. ~~Designated-official---~~"Designated-official"--means
6 ~~a-person-designated-by-a-municipality-or-joint-power-of~~
7 ~~municipalities-to-sign-a-grant-for-cost-share-maxi-audit~~
8 ~~services.~~

9 Subp. ~~9.~~ Municipality. "Municipality" means a public
10 school district, statutory or home rule charter city, county, or
11 town in Minnesota, or joint power of these.

12 7680.0120 ELIGIBILITY.

13 All municipalities are eligible for cost-share maxi-audit
14 grants for buildings which they own and operate. A building for
15 which a municipality has received cost-share maxi-audit funds is
16 not eligible for another cost-share maxi-audit grant until five
17 years after the date of the previous cost-share maxi-audit grant
18 payment.

19 7680.0130 COST-SHARE MAXI-AUDIT REQUIREMENTS.

20 Cost-share maxi-audit reports shall be prepared in
21 accordance with the manual incorporated by reference in part
22 7680.0200.

23 7680.0140 COST-SHARE MAXI-AUDITOR AUTHORIZATION.

24 An authorized cost-share maxi-auditor is a person who is a
25 professional electrical or mechanical engineer or architect
26 registered in Minnesota and who has:

27 A. agreed to abide by the requirements of this part
28 when conducting cost-share maxi-audits;

29 B. agreed to attend mandatory cost-share maxi-audit
30 information and training sessions conducted by the department;

31 C. signed and submitted to the department, upon
32 completion of the mandatory cost-share maxi-audit training, the
33 Authorization Agreement for Cost-Share Maxi-Auditors which is
34 provided in the manual and is available upon request from the

1 department; and

2 D. agreed to make appropriate changes and additions
3 to a cost-share maxi-audit report within 30 days after being
4 sent written notification from the department of the required
5 changes and additions.

6 These requirements must be adhered to in order for a person
7 to maintain authorized cost-share maxi-auditor status.

8 7680.0150 APPLICATION.

9 Subpart 1. **Process.** The municipality must submit to the
10 department an application for cost-share maxi-audit funds on a
11 form provided by the department. This application must include
12 the following:

13 A. the municipality's name and address;

14 B. the name and address of the building;

15 C. the area of the building in square feet;

16 D. the building audit status: previously
17 maxi-audited or unaudited;

18 E. the date of the application; and

19 F. a contact person's name, title, and telephone
20 number.

21 Subp. 2. **Application period.** The department will process
22 applications in accordance with part 7680.0190, subpart 1, until
23 all funds have been encumbered.

24 7680.0160 CONTRACT PROCESS.

25 Subpart 1. **Application review.** Upon receipt of an
26 eligible application from a municipality, the department will
27 determine the funding limits for each building according to part
28 7680.0190, subpart 2, and will prepare a cost-share maxi-audit
29 grant contract for each building.

30 Subp. 2. **General.** The department will send the prepared
31 contract to the applicant for signatures by two of the
32 applicant's officials authorized to sign contracts. Grant
33 contracts must be signed and returned to the department within
34 45 days of the department's mailing date to the applicant. If
35 the grant contract has not been returned within 45 days, the

1 funds may be redistributed to other applicants. After complete
2 execution of the grant contract by the state of Minnesota, the
3 department will send the municipality a copy of the fully
4 executed contract, required scope of work, and a list of
5 authorized cost-share maxi-auditors.

6 7680.0170 COST-SHARE MAXI-AUDIT REPORT REVIEW.

7 The department will review cost-share maxi-audit reports to
8 verify that all requirements of the manual have been fulfilled.
9 If the department review identifies any requirements that have
10 not been fulfilled, the department will notify both the grantee
11 and the authorized cost-share maxi-auditor of the necessary
12 changes and additions. The department may conduct an on-site
13 verification of the data contained in the cost-share maxi-audit
14 report. When the cost-share maxi-audit report has been
15 determined to fulfill all requirements, notice of acceptance
16 will be sent to the grantee.

17 7680.0180 REIMBURSEMENT.

18 To be reimbursed for the funds approved in part 7680.0190,
19 subpart 2, the following conditions must be met:

20 A. The municipality must not have contracted for or
21 begun work before the fully executed grant contract was received
22 by the municipality.

23 B. The cost-share maxi-audit must have been conducted
24 by an authorized cost-share maxi-auditor.

25 C. The municipality must have submitted to the
26 department no later than 90 days before the expiration date of
27 the contract, the following:

28 (1) one copy of the cost-share maxi-audit report
29 signed by an authorized cost-share maxi-auditor for each
30 building that was awarded a cost-share maxi-audit grant; and

31 (2) one copy of the invoice for the cost-share
32 maxi-audit work, itemized by building.

33 D. The cost-share maxi-audit report must have met the
34 requirements of the manual.

1 7680.0190 FUNDING.

2 Subpart 1. Priorities. The department will process grant
 3 applications that comply with parts 7680.0100 to 7680.0190 on a
 4 first come, first served basis, based on the day an eligible and
 5 complete application is received by the department. If eligible
 6 and complete applications received on the same day cannot all be
 7 funded due to lack of available funds, the department will first
 8 process applications for previously unaudited buildings. If
 9 funds are not available for all eligible applications for
 10 previously unaudited buildings, the department will process
 11 grants so that each affected application receives an equal
 12 percentage of the eligible grant amount. If funds are available
 13 after processing all eligible applications for previously
 14 unaudited buildings, the department will process eligible grant
 15 applications for previously audited buildings. If funds are not
 16 available for all eligible applications for previously audited
 17 buildings, the department will process grants so that each
 18 affected application receives an equal percentage of the
 19 eligible grant amount. When all available funds have been
 20 encumbered, the department will not process any further
 21 applications, and affected applicants will be notified.

22 Subp. 2. Limits. Grants will be issued by the department
 23 for eligible applications up to the funding limits, based on
 24 building size, as shown in the following table. The department
 25 will reimburse grantees for 50 percent of the actual cost of a
 26 cost-share maxi-audit or the approved grant amount, whichever is
 27 less, when the requirements of part 7680.0180 have been met.

28 Funding Limits for Cost-Share Maxi-Audits

29 Building Size		
30 in Square Feet	Formula	Funding Limits
31 0-5,000	--	\$500
32 5,001-25,000	--	\$1,000
33 25,001-50,000	(Area)(\$.04/sq.ft.)	\$1,000-\$2,000
34 50,001-100,000	(Area)(\$.024/sq.ft.) + \$800	\$2,000-\$3,200
35 100,001-150,000	(Area)(\$.016/sq.ft.) + \$1,600	\$3,200-\$4,000
36 150,001-200,000	(Area)(\$.012/sq.ft.) + \$2,200	\$4,000-\$4,600

1	200,001-250,000	(Area)(\$.008/sq.ft.) + \$3,000	\$4,600-\$5,000
2	250,001 and up	--	\$5,000

3 Subp. 3. **Restrictions.** Municipalities awarded cost-share
4 maxi-audit grants with money from alleged violations of federal
5 petroleum pricing regulations cannot use funding from this
6 program for the applicant's share of the cost of their
7 cost-share maxi-audit.

8 7680.0200 INCORPORATION BY REFERENCE.

9 The Cost-Share Maxi-Audit Manual (1987), written and
10 published by the Energy Division of the Department of Public
11 Service, is incorporated by reference. The manual is not
12 subject to frequent change and is available from the Department
13 of Public Service, 900 American Center Building, 150 East
14 Kellogg Boulevard, Saint Paul, MN 55101, and on the Minitex
15 interlibrary loan system from the Minnesota State Law Library,
16 Ford Building, 117 University Avenue, Saint Paul, MN 55155.