



STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

November 28, 2001

Governor Jesse Ventura  
130 State Capitol  
75 Constitution Avenue  
St. Paul, Minnesota 55155-1606

Representative Dan McElroy, Chair  
Jobs & Economic Development Finance  
437 State Office Building  
100 Constitution Avenue  
St. Paul, Minnesota 55155-1206

Senator Richard J. Cohen, Chair  
State Government Economic Development  
and the Judiciary Division  
317 Capitol  
75 Constitution Avenue  
St. Paul, Minnesota 55101-1606

Representative Ken Wolf, Chair  
Regulated Industries Committee  
571 State Office Building  
100 Constitution Avenue  
St. Paul, Minnesota 55155-1206

Senator James P. Metzen, Chair  
Telecommunications, Energy and Utilities  
Committee  
322 Capitol  
75 Constitution Avenue  
St. Paul, Minnesota 55155-1606

Ms. Michele Timmons  
Revisor of Statutes  
700 State Office Building  
100 Constitution Avenue  
St. Paul, Minnesota 55155-1206

Representative Steve Sviggum, Chair  
Legislative Coordinating Commission  
85 State Office Building  
100 Constitution Avenue  
St. Paul, Minnesota 55155-1206

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as  
Required by Minnesota Statutes, Section 14.05, Subdivision 5.

Dear Governor Ventura, Senators, Representatives, and Revisor Timmons:

Minnesota Statutes § 14.05, subd. 5, directs state agencies to report by December 1 each year whether any of their rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The Public Utilities Commission has reviewed its rules and found that the following rules arguably contain obsolete, unnecessary, or duplicative provisions:

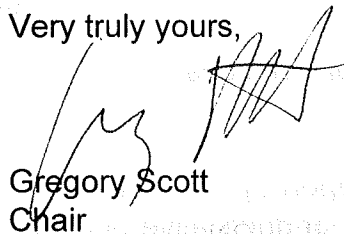
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- 7810.2500, 7820.2800 and 7825.3400, citing to Minn. Rules chapter 7830. This chapter was repealed when Chapter 7829 was adopted, but the citations elsewhere in the rules had not been updated.
- 7810.3400, subp. 2, regarding eight-party phone service. This rule is obsolete because Minn. Stat. § 237.068 and Commission orders bar the provision of eight-party phone service.
- 7810.8100(C); 7810.8625, subp. 5; 7810.8630, subp. 6; 7810.8635, subp. 2(C); 7810.8800; and 7810.8900 - .8940; implementing Minn. Stat. §§ 237.58 and 237.62. Those sections expired on August 1, 1999 pursuant to Minn. Stat. § 237.5799, rendering aspects of these rules obsolete.
- 7810.8100(D) and 7829.2200, implementing Minn. Stat. § 237.625. That section expired on August 1, 1999 pursuant to Minn. Stat. § 237.5799, rendering aspects of these rules obsolete.
- 7810.8200, subp. 17; 7810.8500(D); and 7810.8740 - .8755; implementing § 237.60, subd. 2. That section expired on August 1, 1999 pursuant to Minn. Stat. § 237.5799, rendering aspects of these rules obsolete.
- Chapter 7827, implementing the federal Tax Reform Act of 1986. This rule is now unnecessary because adjustments for the Tax Reform Act are now fully implemented.
- 7849.0010, defining "large electric generating facility" and "large high voltage transmission line." The Revisor of Statutes has recodified an authorizing statute, requiring a change to the citations contained in these rules.
- 7853.0010, subp. 13; 7853.0030; 7853.0210 - .0230; 7853.0300; 7853.0320 - .0400; 7853.0440, subp. 3; and 7853.0700 - .0790; regarding large oil facilities and oil refineries. The legislature removed these entities from the Commission's jurisdiction when it changed the definition of "large energy facility" at Minn. Stat. § 216B.2421, subd. 2.

The Commission has a rulemaking underway to eliminate the obsolete portions of these rules. See In the Matter of the Revision to Remove Obsolete Provisions in Minnesota Rules, Chapters 7810, 7820, 7825, 7827, 7829, 7851, 7853 and 7855, Docket No. U-999/R-00-1661.

Please let me know if I can provide further assistance.

Very truly yours,



Gregory Scott  
Chair