

APPENDIX B

216B.091 MONTHLY REPORTS.

(a) Each public utility must report the following data on residential customers to the commission monthly, in a format determined by the commission:

(1) number of customers;

(2) number and total amount of accounts past due;

(3) average customer past due amount;

(4) total revenue received from the low-income home energy assistance program and other sources contributing to the bills of low-income persons;

(5) average monthly bill;

(6) total sales revenue;

(7) total write-offs due to uncollectible bills;

(8) number of disconnection notices mailed;

(9) number of accounts disconnected for nonpayment;

(10) number of accounts reconnected to service; and

(11) number of accounts that remain disconnected, grouped by the duration of disconnection, as follows:

(i) 1-30 days;

(ii) 31-60 days; and

(iii) more than 60 days.

(b) Monthly reports for October through April must also include the following data:

(1) number of cold weather protection requests;

(2) number of payment arrangement requests received and granted;

(3) number of right to appeal notices mailed to customers;

(4) number of reconnect request appeals withdrawn;

(5) number of occupied heat-affected accounts disconnected for 24 hours or more for electric and natural gas service separately;

(6) number of occupied non-heat-affected accounts disconnected for 24 hours or more for electric and gas service separately;

(7) number of customers granted cold weather rule protection;

(8) number of customers disconnected who did not request cold weather rule protection; and

(9) number of customers disconnected who requested cold weather rule protection.

(c) The data reported under paragraphs (a) and (b) is presumed to be accurate upon submission and must be made available through the commission's electronic filing system. A monthly report must be filed with the commission no later than 45 days after the last day of the month for which data is reported.

History: *2007 c 57 art 2 s 11; 2008 c 162 s 1*

216B.096 COLD WEATHER RULE; PUBLIC UTILITY.

Subdivision 1. **Scope.** This section applies only to residential customers of a utility.

Subd. 2. **Definitions.** (a) The terms used in this section have the meanings given them in this subdivision.

(b) "Cold weather period" means the period from October 15 through April 15 of the following year.

(c) "Customer" means a residential customer of a utility.

(d) "Disconnection" means the involuntary loss of utility heating service as a result of a physical act by a utility to discontinue service. Disconnection includes installation of a service or load limiter or any device that limits or interrupts utility service in any way.

(e) "Household income" means the combined income, as defined in section 290A.03, subdivision 3, of all residents of the customer's household, computed on an annual basis. Household income does not include any amount received for energy assistance.

(f) "Reasonably timely payment" means payment within five working days of agreed-upon due dates.

(g) "Reconnection" means the restoration of utility heating service after it has been disconnected.

(h) "Summary of rights and responsibilities" means a commission-approved notice that contains, at a minimum, the following:

(1) an explanation of the provisions of subdivision 5;

(2) an explanation of no-cost and low-cost methods to reduce the consumption of energy;

(3) a third-party notice;

(4) ways to avoid disconnection;

(5) information regarding payment agreements;

(6) an explanation of the customer's right to appeal a determination of income by the utility and the right to appeal if the utility and the customer cannot arrive at a mutually acceptable payment agreement; and

(7) a list of names and telephone numbers for county and local energy assistance and weatherization providers in each county served by the utility.

(i) "Third-party notice" means a commission-approved notice containing, at a minimum, the following information:

(1) a statement that the utility will send a copy of any future notice of proposed disconnection of utility heating service to a third party designated by the residential customer;

(2) instructions on how to request this service; and

(3) a statement that the residential customer should contact the person the customer intends to designate as the third-party contact before providing the utility with the party's name.

(j) "Utility" means a public utility as defined in section 216B.02, and a cooperative electric association electing to be a public utility under section 216B.026. Utility also means a municipally owned gas or electric utility for nonresident consumers of the municipally owned utility and a cooperative electric association

when a complaint in connection with utility heating service during the cold weather period is filed under section 216B.17, subdivision 6 or 6a.

(k) "Utility heating service" means natural gas or electricity used as a primary heating source, including electricity service necessary to operate gas heating equipment, for the customer's primary residence.

(l) "Working days" means Mondays through Fridays, excluding legal holidays. The day of receipt of a personally served notice and the day of mailing of a notice shall not be counted in calculating working days.

Subd. 3. Utility obligations before cold weather period. Each year, between September 1 and October 15, each utility must provide all customers, personally, by first class mail, or electronically for those requesting electronic billing, a summary of rights and responsibilities. The summary must also be provided to all new residential customers when service is initiated.

Subd. 4. Notice before disconnection during cold weather period. Before disconnecting utility heating service during the cold weather period, a utility must provide, personally or by first class mail, a commission-approved notice to a customer, in easy-to-understand language, that contains, at a minimum, the date of the scheduled disconnection, the amount due, and a summary of rights and responsibilities.

Subd. 5. Cold weather rule. (a) During the cold weather period, a utility may not disconnect and must reconnect utility heating service of a customer whose household income is at or below 50 percent of the state median income if the customer enters into and makes reasonably timely payments under a mutually acceptable payment agreement with the utility that is based on the financial resources and circumstances of the household; provided that, a utility may not require a customer to pay more than ten percent of the household income toward current and past utility bills for utility heating service.

(b) A utility may accept more than ten percent of the household income as the payment arrangement amount if agreed to by the customer.

(c) The customer or a designated third party may request a modification of the terms of a payment agreement previously entered into if the customer's financial circumstances have changed or the customer is unable to make reasonably timely payments.

(d) The payment agreement terminates at the expiration of the cold weather period unless a longer period is mutually agreed to by the customer and the utility.

(e) Each utility shall use reasonable efforts to restore service within 24 hours of an accepted payment agreement, taking into consideration customer availability, employee availability, and construction-related activity.

Subd. 6. Verification of income. (a) In verifying a customer's household income, a utility may:

- (1) accept the signed statement of a customer that the customer is income eligible;
- (2) obtain income verification from a local energy assistance provider or a government agency;
- (3) consider one or more of the following:

(i) the most recent income tax return filed by members of the customer's household;

(ii) for each employed member of the customer's household, paycheck stubs for the last two months or a written statement from the employer reporting wages earned during the preceding two months;

(iii) documentation that the customer receives a pension from the Department of Human Services, the Social Security Administration, the Veteran's Administration, or other pension provider;

(iv) a letter showing the customer's dismissal from a job or other documentation of unemployment; or

(v) other documentation that supports the customer's declaration of income eligibility.

(b) A customer who receives energy assistance benefits under any federal, state, or county government programs in which eligibility is defined as household income at or below 50 percent of state median income is deemed to be automatically eligible for protection under this section and no other verification of income may be required.

Subd. 7. **Prohibitions and requirements.** (a) This subdivision applies during the cold weather period.

(b) A utility may not charge a deposit or delinquency charge to a customer who has entered into a payment agreement or a customer who has appealed to the commission under subdivision 8.

(c) A utility may not disconnect service during the following periods:

(1) during the pendency of any appeal under subdivision 8;

(2) earlier than ten working days after a utility has deposited in first class mail, or seven working days after a utility has personally served, the notice required under subdivision 4 to a customer in an occupied dwelling;

(3) earlier than ten working days after the utility has deposited in first class mail the notice required under subdivision 4 to the recorded billing address of the customer, if the utility has reasonably determined from an on-site inspection that the dwelling is unoccupied;

(4) on a Friday, unless the utility makes personal contact with, and offers a payment agreement consistent with this section to the customer;

(5) on a Saturday, Sunday, holiday, or the day before a holiday;

(6) when utility offices are closed;

(7) when no utility personnel are available to resolve disputes, enter into payment agreements, accept payments, and reconnect service; or

(8) when commission offices are closed.

(d) A utility may not discontinue service until the utility investigates whether the dwelling is actually occupied. At a minimum, the investigation must include one visit by the utility to the dwelling during normal working hours. If no contact is made and there is reason to believe that the dwelling is occupied, the utility must attempt a second contact during nonbusiness hours. If personal contact is made, the utility representative must provide notice required under subdivision 4 and, if the utility representative is not authorized to enter into a payment agreement, the telephone number the customer can call to establish a payment agreement.

(e) Each utility must reconnect utility service if, following disconnection, the dwelling is found to be occupied and the customer agrees to enter into a payment agreement or appeals to the commission because the customer and the utility are unable to agree on a payment agreement.

Subd. 8. **Disputes; customer appeals.** (a) A utility must provide the customer and any designated third party with a commission-approved written notice of the right to appeal:

(1) a utility determination that the customer's household income is more than 50 percent of state median household income; or

(2) when the utility and customer are unable to agree on the establishment or modification of a payment agreement.

(b) A customer's appeal must be filed with the commission no later than seven working days after the customer's receipt of a personally served appeal notice, or within ten working days after the utility has deposited a first class mail appeal notice.

(c) The commission must determine all customer appeals on an informal basis, within 20 working days of receipt of a customer's written appeal. In making its determination, the commission must consider one or more of the factors in subdivision 6.

(d) Notwithstanding any other law, following an appeals decision adverse to the customer, a utility may not disconnect utility heating service for seven working days after the utility has personally served a disconnection notice, or for ten working days after the utility has deposited a first class mail notice. The notice must contain, in easy-to-understand language, the date on or after which disconnection will occur, the reason for disconnection, and ways to avoid disconnection.

Subd. 9. Cooperative and municipal disputes. Complaints in connection with utility heating service during the cold weather period filed against a municipal or a cooperative electric association with the commission under section 216B.17, subdivision 6 or 6a, are governed by section 216B.097.

Subd. 10. Customers above 50 percent of state median income. During the cold weather period, a customer whose household income is above 50 percent of state median income:

(1) has the right to a payment agreement that takes into consideration the customer's financial circumstances and any other extenuating circumstances of the household; and

(2) may not be disconnected and must be reconnected if the customer makes timely payments under a payment agreement accepted by a utility.

Subdivision 7, paragraph (b), does not apply to customers whose household income is above 50 percent of state median income.

Subd. 11. Reporting. Annually on November 1, a utility must electronically file with the commission a report, in a format specified by the commission, specifying the number of utility heating service customers whose service is disconnected or remains disconnected for nonpayment as of October 1 and October 15. If customers remain disconnected on October 15, a utility must file a report each week between November 1 and the end of the cold weather period specifying:

(1) the number of utility heating service customers that are or remain disconnected from service for nonpayment; and

(2) the number of utility heating service customers that are reconnected to service each week. The utility may discontinue weekly reporting if the number of utility heating service customers that are or remain disconnected reaches zero before the end of the cold weather period.

The data reported under this subdivision are presumed to be accurate upon submission and must be made available through the commission's electronic filing system.

History: 2007 c 57 art 2 s 13,43; 2008 c 162 s 2,3; 2011 c 97 s 7

216B.098 RESIDENTIAL CUSTOMER PROTECTIONS.

Subdivision 1. **Applicability.** The provisions of this section apply to residential customers of public utilities, municipal utilities, and cooperative electric associations. Each municipal utility and cooperative electric association may establish terms and conditions for the plans and agreements required under subdivisions 2 and 3.

Subd. 2. **Budget billing plans.** A utility shall offer a customer a budget billing plan for payment of charges for service, including adequate notice to customers prior to changing budget payment amounts. Municipal utilities having 3,000 or fewer customers are exempt from this requirement. Municipal utilities having more than 3,000 customers shall implement this requirement before July 1, 2003.

Subd. 3. **Payment agreements.** A utility shall offer a payment agreement for the payment of arrears. Payment agreements must consider a customer's financial circumstances and any extenuating circumstances of the household. No additional service deposit may be charged as a consideration to continue service to a customer who has entered and is reasonably on time under an accepted payment agreement.

Subd. 4. **Undercharges.** (a) A utility shall offer a payment agreement to customers who have been undercharged if no culpable conduct by the customer or resident of the customer's household caused the undercharge. The agreement must cover a period equal to the time over which the undercharge occurred or a different time period that is mutually agreeable to the customer and the utility, except that the duration of a payment agreement offered by a utility to a customer whose household income is at or below 50 percent of state median household income must consider the financial circumstances of the customer's household.

(b) No interest or delinquency fee may be charged as part of an undercharge agreement under this subdivision.

(c) If a customer inquiry or complaint results in the utility's discovery of the undercharge, the utility may bill for undercharges incurred after the date of the inquiry or complaint only if the utility began investigating the inquiry or complaint within a reasonable time after when it was made.

Subd. 5. **Medically necessary equipment.** (a) A utility shall reconnect or continue service to a customer's residence where a medical emergency exists or where medical equipment requiring electricity necessary to sustain life is in use, provided that the utility receives written certification, or initial certification by telephone and written certification within five business days, that failure to reconnect or continue service will impair or threaten the health or safety of a resident of the customer's household.

(b) Certification of the necessity for service is required. Certification may be provided by:

(1) a licensed medical doctor;

(2) a licensed physician assistant;

(3) an advanced practice registered nurse, as defined in section 148.171; or

(4) a registered nurse, but only to the extent of verifying the current diagnosis or prescriptions made by a licensed medical doctor for the customer or member of the customer's household.

(c) Except as provided in paragraph (d), a certification may not extend beyond six months from the date of written certification.

(d) If a utility determines that a longer certification is appropriate given a particular customer's circumstances, the utility may, at its sole discretion, extend the duration of a certification for up to 12 months.

(e) A certification may be renewed, provided that the renewal complies with this subdivision. A certification may be renewed by the same or another medical professional who meets the qualifications of paragraph (b).

(f) A customer whose account is in arrears must contact and enter into a payment agreement with the utility. The payment agreement must consider a customer's financial circumstances and any extenuating circumstances of the household. The payment agreement may, at the discretion of the utility, contain a provision by which the utility forgives all or a portion of the amount in which the account is in arrears, which, if implemented, extinguishes individual liability for the amount forgiven.

Subd. 6. **Commission authority.** In addition to any other authority, the commission has the authority to resolve customer complaints against a public utility, as defined in section 216B.02, subdivision 4, whether or not the complaint involves a violation of this chapter. The commission may delegate this authority to commission staff as it deems appropriate.

History: 2001 c 212 art 4 s 3; 2002 c 379 art 1 s 54; 2007 c 57 art 2 s 16; 2008 c 162 s 4; 2014 c 254 s 2

7820.1000 PERMISSIBLE SERVICE DISCONNECTION WITH NOTICE.

With notice a utility may disconnect service to any customer for any reason stated below. Notice must comply with the requirements of part 7820.2400:

A. for failure of the customer to pay a bill for utility service, but only when the amount of the customer's outstanding bill equals or exceeds the amount of the customer's deposit;

B. for failure of the customer to meet the utility's deposit and credit requirements;

C. for failure of the customer to make proper application for service;

D. for customer's violation of any of the utility's rules on file with the commission;

E. for failure of the customer to provide the utility reasonable access to its equipment and property;

F. for customer's breach of the contract for service between the utility and the customer;

G. for failure of the customer to furnish such service, equipment, and/or rights-of-way necessary to serve the customer as shall have been specified by the utility as a condition of obtaining service;

H. when determined by the commission as prescribed by relevant state or other applicable standards or after individual hearing upon application of any person that customer is willfully wasting service through improper equipment; or

I. when necessary for the utility to comply with any order or request of any governmental authority having jurisdiction.

Statutory Authority: *MS s 216B.08; 216B.09*

Published Electronically: *October 9, 2008*

7820.2400 NOTICE REQUIREMENTS.

Where required by this chapter, notice of impending action by the utility shall be by first class mail. Notice shall be sent to the address where service is rendered and to the address where the bill is sent if different from the address where service is rendered. A representative of the utility must make an affidavit under oath that the representative deposited in the mail the notice properly addressed to the customer. In lieu of mailing, notices may be delivered by a representative of the utility. Such notices must be in writing and receipt of them must be signed by the customer, if present, or some other member of the customer's family of a responsible age or the utility representative must make an affidavit under oath that the representative delivered the notice to the customer or the customer's residence. A record of all notices and all affidavits required by this chapter must be kept on file by the utility and must be made available to the commission. Disconnection notices shall contain the date on or after which disconnection will occur, reason for disconnection, and methods of avoiding disconnection in normal, easy-to-understand language.

All notice required by this chapter must precede the action to be taken by at least five days excluding Sundays and legal holidays. No notice may be given until the condition of which it informs, presently exists.

Statutory Authority: *MS s 216B.08; 216B.09*

History: *17 SR 1279*

Published Electronically: *October 15, 2009*

7820.2500 MANNER OF DISCONNECTION.

Service may be disconnected only in conjunction with a personal visit by a representative of the utility to the address where the service is rendered and an attempt to make personal contact with the customer at the address. If the address is a building containing two or more dwelling units, the representative shall make a personal visit to the door of the customer's dwelling unit within the building. If security provisions in the building preclude free access on the part of the representative, the representative shall attempt to gain access to the building from the caretaker, for the purpose of attempting to make personal contact with the customer. The representative of the utility shall at all times be capable of receiving payment, if nonpayment is the cause of the disconnection of service, or the representative shall be able to certify that the cause of disconnection has been remedied by the customer.

Statutory Authority: *MS s 216B.08; 216B.09*

Published Electronically: *October 9, 2008*

7820.2600 RECONNECTION OF SERVICE.

In the event service has been disconnected for valid cause by the utility, the utility may charge a reconnect fee based on the cost of reconnection as stated in the utility's tariff on file with the commission. Notwithstanding the above provision, the utility shall not charge a reconnect fee for disconnection of service pursuant to part 7820.1100, item B.

Statutory Authority: *MS s 216B.08; 216B.09*

Published Electronically: *October 9, 2008*

7820.2700 DISPUTES.

Whenever the customer advises the utility's designated representative prior to the disconnection of service that any part of the billing as rendered or any part of the service is in dispute, the utility shall investigate the dispute promptly, advise customer of investigation and its result, attempt to resolve dispute, and withhold disconnection of service until the investigation is completed and the customer is informed of the findings in writing.

Upon the findings of the utility, the customer must submit payment in full of any bill which is due. If the dispute is not resolved to the satisfaction of the customer, the customer must submit the entire payment and may designate the disputed portion to be placed in escrow to the utility. Such payment shall be called an escrow payment.

Statutory Authority: *MS s 216B.08; 216B.09*

History: *17 SR 1279*

Published Electronically: *October 9, 2008*

7820.5300 DETERMINATION OF DELINQUENCY.

Subpart 1. **Requirement.** A utility which chooses to impose a late payment charge on its customers shall use two measures for determining when a customer's bill is delinquent as follows in subparts 2 and 3.

Subp. 2. **Residential customer.** If a residential customer's bill payment is not received by the utility by the next scheduled billing date, which must be not less than 25 days from the current billing date, a late payment charge may be imposed. The current billing date must be no more than three working days before the date of mailing of the bill by the utility. The utility may print a due date on the bill which is not more than five days before the next scheduled billing date.

Subp. 3. **Nonresidential customer.** If a nonresidential customer's utility bill is not received by the utility within a grace period of not less than 15 days from the current billing date, a late payment charge may be imposed. The current billing date must be no more than three working days before the date of mailing of the bill by the utility.

Statutory Authority: *MS s 216A.05; 216B.03; 216B.23*

History: *8 SR 2335*

Published Electronically: *October 9, 2008*

CHAPTER 7826
PUBLIC UTILITIES COMMISSION
ELECTRIC UTILITY STANDARDS

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7826.0100 APPLICABILITY.

This chapter applies to all persons, corporations, or other legal entities engaged in the retail distribution of electric service to the public, with the following exceptions:

- A. cooperative electric associations;
- B. municipal utilities;
- C. persons distributing electricity only to tenants or cooperative or condominium owners in buildings owned, leased, or operated by those persons;
- D. persons distributing electricity only to occupants of a manufactured home or trailer park owned, leased, or operated by those persons; and
- E. persons distributing electricity to fewer than 25 persons.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

Published Electronically: *February 13, 2003*

7826.0200 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Bulk power supply facility.** "Bulk power supply facility" means the interconnected system that encompasses the electric generation resource, transmission lines, transmission substations, and associated equipment that, upon a total, simultaneous, and sustained interruption, disrupts service to all distribution feeders exiting that substation when those distribution feeders do not have service restoration interconnections with alternate sources.

Subp. 3. **Cold weather rule.** "Cold weather rule" means the set of protections against disconnection during the heating season set forth in Minnesota Statutes, sections 216B.096 and 216B.097.

Subp. 4. **Customer average interruption duration index or CAIDI.** "Customer average interruption duration index" or "CAIDI" means the average customer-minutes of interruption per customer interruption. It approximates the average length of time required to complete service restoration. It is determined by dividing the annual sum of all customer-minutes of interruption durations by the annual number of customer interruptions, using storm-normalized data.

Subp. 5. **Customer complaint.** "Customer complaint" means any call center communication by a utility customer in which the customer states a grievance related to the utility's provision of service to that customer.

Subp. 6. **Interruption.** "Interruption" means an interruption of service to a customer with a duration greater than five minutes.

Subp. 7. **Major service interruption.** "Major service interruption" means an interruption of service at the feeder level or above and affecting 500 or more customers for one or more hours.

Subp. 8. **Resolved.** "Resolved," used in regard to customer complaints, means that the utility has examined the complainant's claims, conducted any necessary investigation, and done one of the following:

- A. taken the action the customer requests;
- B. taken an action the customer and the utility agree is an acceptable compromise;
- C. provided the customer with information that demonstrates that the situation complained of is not reasonably within the control of the utility; or
- D. refused to take the action the customer requested and communicated that refusal to the customer.

Subp. 9. **Storm-normalized data.** "Storm-normalized data" means data that has been adjusted to neutralize the effects of outages due to major storms.

Subp. 10. **System average interruption duration index or SAIDI.** "System average interruption duration index" or "SAIDI" means the average customer-minutes of interruption per customer. It is determined by dividing the annual sum of customer-minutes of interruption by the average number of customers served during the year, using storm-normalized data.

Subp. 11. **System average interruption frequency index or SAIFI.** "System average interruption frequency index" or "SAIFI" means the average number of interruptions per customer per year. It is determined by dividing the total annual number of customer interruptions by the average number of customers served during the year, using storm-normalized data.

Subp. 12. **Utility.** "Utility" means any person, corporation, or other legal entity engaged in the retail distribution of electric service to the public, with the following exceptions:

- A. cooperative electric associations;
- B. municipal utilities;
- C. persons distributing electricity only to tenants or cooperative or condominium owners in buildings owned, leased, or operated by those persons;
- D. persons distributing electricity only to occupants of a manufactured home or trailer park owned, leased, or operated by those persons; and
- E. persons distributing electricity to fewer than 25 persons.

Subp. 13. **Work center.** "Work center" means a portion of a utility's assigned service area that it treats as an administrative subdivision for purposes of maintaining and repairing its distribution system.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174; L 2009 c 110 s 37*

Published Electronically: *June 2, 2009*

SAFETY

7826.0300 SAFETY STANDARDS.

Subpart 1. **National Electrical Safety Code.** When constructing new facilities or reinvesting capital in existing facilities, utilities shall comply with the requirements stated at the time the work is done in the then most recently published edition of the National Electrical Safety Code, as published by the Institute of Electrical and Electronics Engineers, Inc. and approved by the American National Standards Institute. This code is incorporated by reference, is not subject to frequent change, and is conveniently available to the public through the statewide interlibrary loan system.

Subp. 2. **Standards and recommended practices of the Institute of Electrical and Electronics Engineers, Inc. and the American National Standards Institute.** Utilities are encouraged to follow the recommended practices of the Institute of Electrical and Electronics Engineers, Inc. and the American National Standards Institute on electricity metering and standard voltage ratings for electric power systems and equipment. Utility compliance with these recommended practices creates a rebuttable presumption that a practice is reasonable.

Subp. 3. **Occupational Safety and Health Administration rules.** When constructing, installing, refurbishing, or maintaining facilities, utilities shall comply with all regulations promulgated by the United States Occupational Safety and Health Administration and by the Occupational Safety and Health Division of the Minnesota Department of Labor and Industry.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

Published Electronically: *February 13, 2003*

7826.0400 ANNUAL SAFETY REPORT.

On or before April 1 of each year, each utility shall file a report on its safety performance during the last calendar year. This report shall include at least the following information:

A. summaries of all reports filed with the United States Occupational Safety and Health Administration and the Occupational Safety and Health Division of the Minnesota Department of Labor and Industry during the calendar year; and

B. a description of all incidents during the calendar year in which an injury requiring medical attention or property damage resulting in compensation occurred as a result of downed wires or other electrical system failures and all remedial action taken as a result of any injuries or property damage described.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

Published Electronically: *February 13, 2003*

RELIABILITY

7826.0500 RELIABILITY REPORTING REQUIREMENTS.

Subpart 1. **Annual reporting requirements.** On or before April 1 of each year, each utility shall file a report on its reliability performance during the last calendar year. This report shall include at least the following information:

A. the utility's SAIDI for the calendar year, by work center and for its assigned service area as a whole;

B. the utility's SAIFI for the calendar year, by work center and for its assigned service area as a whole;

C. the utility's CAIDI for the calendar year, by work center and for its assigned service area as a whole;

D. an explanation of how the utility normalizes its reliability data to account for major storms;

E. an action plan for remedying any failure to comply with the reliability standards set forth in part 7826.0600 or an explanation as to why noncompliance was unavoidable under the circumstances;

F. to the extent feasible, a report on each interruption of a bulk power supply facility during the calendar year, including the reasons for interruption, duration of interruption, and any remedial steps that have been taken or will be taken to prevent future interruption;

G. a copy of each report filed under part 7826.0700;

H. to the extent technically feasible, circuit interruption data, including identifying the worst performing circuit in each work center, stating the criteria the utility used to identify the worst performing

circuit, stating the circuit's SAIDI, SAIFI, and CAIDI, explaining the reasons that the circuit's performance is in last place, and describing any operational changes the utility has made, is considering, or intends to make to improve its performance;

I. data on all known instances in which nominal electric service voltages on the utility's side of the meter did not meet the standards of the American National Standards Institute for nominal system voltages greater or less than voltage range B;

J. data on staffing levels at each work center, including the number of full-time equivalent positions held by field employees responsible for responding to trouble and for the operation and maintenance of distribution lines; and

K. any other information the utility considers relevant in evaluating its reliability performance over the calendar year.

Subp. 2. **Initial reporting requirements.** By March 30, 2003, each utility shall file its SAIDI, SAIFI, and CAIDI for each of the past five calendar years, by work center and for its assigned service area as a whole. If this information is not available, the utility shall file an explanation of how it has been tracking reliability for the past five years, together with reliability data for that period of time. If the utility has implemented a new reliability tracking system that makes comparisons between historical data and current data unreliable, the utility shall explain this situation in its filing.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

Published Electronically: *February 13, 2003*

7826.0600 RELIABILITY STANDARDS.

Subpart 1. **Annually proposed individual reliability standards.** On or before April 1 of each year, each utility shall file proposed reliability performance standards in the form of proposed numerical values for the SAIDI, SAIFI, and CAIDI for each of its work centers. These filings shall be treated as "miscellaneous tariff filings" under the commission's rules of practice and procedure, part 7829.0100, subpart 11.

Subp. 2. **Annually set, utility-specific, reliability standards.** The commission shall set reliability performance standards annually for each utility in the form of numerical values for the SAIDI, SAIFI, and CAIDI for each of its work centers. These standards remain in effect until the commission takes final action on a filing proposing new standards or changes them in another proceeding.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.0700 REPORTING MAJOR SERVICE INTERRUPTIONS.

Subpart 1. **Contemporaneous reporting.** A utility shall promptly inform the commission's Consumer Affairs Office of any major service interruption. At that time, the utility shall provide the following information, to the extent known:

- A. the location and cause of the interruption;
- B. the number of customers affected;

- C. the expected duration of the interruption; and
- D. the utility's best estimate of when service will be restored, by geographical area.

Subp. 2. **Written report.** Within 30 days, a utility shall file a written report on any major service interruption in which ten percent or more of its Minnesota customers were out of service for 24 hours or more. This report must include at least a description of:

- A. the steps the utility took to restore service; and
- B. any operational changes the utility has made, is considering, or intends to make, to prevent similar interruptions in the future or to restore service more quickly in the future.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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SERVICE

7826.0800 CUSTOMER NOTICE OF PLANNED SERVICE INTERRUPTIONS.

Utilities shall give customers the most effective actual notice possible of any planned service interruption expected to last longer than 20 minutes. For any planned interruption expected to exceed four hours, the utility shall provide, if feasible, mailed notice one week in advance and notice by telephone or door-to-door household visits 12 to 72 hours before the interruption. Planned service interruptions must be scheduled at times to minimize the inconvenience to customers. When planned service interruptions exceeding four hours are canceled, utilities shall notify, if feasible, the customers who received notice that service would be interrupted.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.0900 METER READING FREQUENCY; CUSTOMER ACCOMMODATION.

Subpart 1. **Meter reading performance standard.** Utilities shall attempt to read all meters on a monthly basis unless otherwise authorized by the commission. Utilities are assumed to be in compliance with this standard if they read at least 90 percent of all meters during the months of April through November and at least 80 percent of all meters during the months of December through March. Utilities shall contact any customer whose bill has been estimated for two consecutive months and attempt to schedule a meter reading.

Subp. 2. **Evening and weekend meter reading.** Utilities shall read meters during the evening or on Saturday or Sunday for customers whose meters are inaccessible and whose work or other schedule makes meter reading during regular business hours a hardship. When a utility contacts a customer on an individual basis to schedule a meter reading, the utility shall inform the customer of the available alternatives that the utility provides, such as the customer's option to provide a self-read. If alternative arrangements are not acceptable to the customer, the utility shall inform the customer that the utility provides evening and weekend meter reading for customers whose work schedule or other schedule makes meter reading during regular business hours a hardship.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1000 REPLACING MALFUNCTIONING METERS.

Utilities shall replace a malfunctioning meter within ten calendar days of receiving a report from a customer questioning its accuracy or within ten calendar days of learning in some other way that it may be inaccurate.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1100 KEEPING SERVICE CALLS.

Utilities shall keep service call appointments and shall provide as much notice as possible when an appointment cannot be kept. A service call appointment is kept if the worker arrives within a four-hour period set by the utility and clearly communicated to the customer.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1200 CALL CENTER RESPONSE TIME.

Subpart 1. **Calls to business office.** On an annual basis, utilities shall answer 80 percent of calls made to the business office during regular business hours within 20 seconds. "Answer" means that an operator or representative is ready to render assistance or accept the information to handle the call. Acknowledging that the customer is waiting on the line and will be served in turn is not an answer. If the utility uses an automated call-processing system, the 20-second period begins when the customer has selected a menu option to speak to a live operator or representative. Utilities using automatic call-processing systems must provide that option, and they must not delay connecting the caller to a live operator or representative for purposes of playing promotional announcements.

Subp. 2. **Calls regarding service interruptions.** On an annual basis, utilities shall answer 80 percent of calls directed to the telephone number for reporting service interruptions within 20 seconds. "Answer" may mean connecting the caller to a recording providing, to the extent practicable, at least the following information:

- A. the number of customers affected by the interruption;
- B. the cause of the interruption;
- C. the location of the interruption; and
- D. the utility's best estimate of when service will be restored, by geographical area.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1300 ANNUAL SERVICE QUALITY REPORT FILING.

On or before April 1 of each year, each utility shall file a report on its service quality performance during the last calendar year. These filings must be treated as "miscellaneous tariff filings" under the commission's rules of practice and procedure, part 7829.0100, subpart 11. This report must include at least the information set forth in parts 7826.1400 to 7826.2000.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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REPORTING

7826.1400 REPORTING METER-READING PERFORMANCE.

The annual service quality report must include a detailed report on the utility's meter-reading performance, including, for each customer class and for each calendar month:

- A. the number and percentage of customer meters read by utility personnel;
- B. the number and percentage of customer meters self-read by customers;
- C. the number and percentage of customer meters that have not been read by utility personnel for periods of six to 12 months and for periods of longer than 12 months, and an explanation as to why they have not been read; and
- D. data on monthly meter-reading staffing levels, by work center or geographical area.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1500 REPORTING INVOLUNTARY DISCONNECTIONS.

The annual service quality report must include a detailed report on involuntary disconnections of service, including, for each customer class and each calendar month:

- A. the number of customers who received disconnection notices;
- B. the number of customers who sought cold weather rule protection under Minnesota Statutes, sections 216B.096 and 216B.097, and the number who were granted cold weather rule protection;
- C. the total number of customers whose service was disconnected involuntarily and the number of these customers restored to service within 24 hours; and
- D. the number of disconnected customers restored to service by entering into a payment plan.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174; L 2009 c 110 s 37*

Published Electronically: *June 2, 2009*

7826.1600 REPORTING SERVICE EXTENSION REQUEST RESPONSE TIMES.

The annual service quality report must include a report on service extension request response times, including, for each customer class and each calendar month:

A. the number of customers requesting service to a location not previously served by the utility and the intervals between the date service was installed and the later of the in-service date requested by the customer or the date the premises were ready for service; and

B. the number of customers requesting service to a location previously served by the utility, but not served at the time of the request, and the intervals between the date service was installed and the later of the in-service date requested by the customer or the date the premises were ready for service.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1700 REPORTING CALL CENTER RESPONSE TIMES.

The annual service quality report must include a detailed report on call center response times, including calls to the business office and calls regarding service interruptions. The report must include a month-by-month breakdown of this information.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1800 REPORTING EMERGENCY MEDICAL ACCOUNT STATUS.

The annual service quality report must include the number of customers who requested emergency medical account status under Minnesota Statutes, section 216B.098, subdivision 5, the number whose applications were granted, and the number whose applications were denied and the reasons for each denial.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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7826.1900 REPORTING CUSTOMER DEPOSITS.

The annual service quality report must include the number of customers who were required to make a deposit as a condition of receiving service.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

Published Electronically: *February 13, 2003*

7826.2000 REPORTING CUSTOMER COMPLAINTS.

The annual service quality report must include a detailed report on complaints by customer class and calendar month, including at least the following information:

- A. the number of complaints received;
- B. the number and percentage of complaints alleging billing errors, inaccurate metering, wrongful disconnection, high bills, inadequate service, and the number involving service-extension intervals, service-restoration intervals, and any other identifiable subject matter involved in five percent or more of customer complaints;
- C. the number and percentage of complaints resolved upon initial inquiry, within ten days, and longer than ten days;
- D. the number and percentage of all complaints resolved by taking any of the following actions:
 - (1) taking the action the customer requested;
 - (2) taking an action the customer and the utility agree is an acceptable compromise;
 - (3) providing the customer with information that demonstrates that the situation complained of is not reasonably within the control of the utility; or
 - (4) refusing to take the action the customer requested; and
- E. the number of complaints forwarded to the utility by the commission's Consumer Affairs Office for further investigation and action.

Statutory Authority: *MS s 216B.81*

History: *27 SR 1174*

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